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Online
ISSN 1440-9828



July 2014 No 784

Mein Kampf emerging from Germany's shadows

8 July 2014 Last updated at 17:15



Adolf Hitler's manifesto, *Mein Kampf* – *My Struggle*, has not been published in Germany since the end of World War Two. This may change when the book's copyright - currently held by the state of Bavaria - expires at the end of 2015, however.

The prospect has led Germans to debate whether the book should become more readily available to the public or continue to exist only on the internet and the black market.

Last month interior ministers of 16 German states pledged to **do all they could** to prevent anyone from printing the work. They said they will ask the federal prosecutor general to investigate whether they could charge publishers with violating the nation's sedition laws.

According to Peter Ross Range, former diplomatic correspondent for *US News & World Report*, such a strategy is misguided.

"The inoculation of a younger generation against the Nazi bacillus is better served by open confrontation with Hitler's words than by keeping his reviled tract in the shadows of illegality," **he writes** in the *New York Times*. While circulating copies of Hitler's work within Germany would be "sensational", he says, it would also remove the mystique created by the book's suppression.

"This publishing event will shape contemporary politics and feed Germany's deep-rooted postwar pacifism," he argues.

Fears in Germany that publication will be a boon to the nation's pseudo-Nazis are misguided, he says, as their

party only polls around 1%, compared to nearly 25% in neighbouring France (where the work can be purchased).

The book should be available and studied in its historical context, he concludes, serving as a cautionary document for the German people.

<http://www.bbc.com/news/blogs-echochambers-28204599>

See: [Bavaria abandons Mein Kampf reprint](#)

Adolf Hitler responds to Roosevelt and mocks him, speaking on the plight of the Palestinian people, and of the hypocrisy of the USA and British – 1939:

<http://www.youtube.com/watch?v=pmJnDKmUdj4>

The Hitler Speech They Don't Want You To Hear

<http://www.youtube.com/watch?v=G57GKUWzNs>

Adolf Hitler Explains His Reasons For Invading The Soviet Union

<http://www.youtube.com/watch?v=t6o84NU9Ees>

ADOLF HITLER SPEECH: Declaring War On USA

<http://www.youtube.com/watch?v=NcEPJC3JeoA>

Hitler Secret 1942 Voice Recording."Guesswork Documentary" - Uploaded on Jan 30, 2012

Hitler Secret 1942 Voice Recording without add-ons:

<https://www.youtube.com/watch?v=E8raD...>

Warning: Hitler videos are high power magnets which attract worthless comments from totally uneducated illiterate morons. Even if your English language skills are limited, it doesn't hurt to have a civilised debate.

This is a manipulative video which pretends to examine the implications of a secretly made recording from 1942 of the first 11 minutes of Adolf Hitler's private conversation with Finland's General Carl Gustaf Emil Mannerheim.

Viewers are advised to make up their own mind about what they hear, especially if they don't understand German absolutely perfectly. The commentary is similar to many other war related propaganda films produced by biased USA "historians" for brainwashing future generations. The pot calling the kettle black.

It's not much use complaining over the contents of any documentary many years after it was produced. The best attitude is to be selective about what parts, if any, you accept as truth and what you reject as biased conjecture. Even the type of music producers use has a profound effect on how visual content comes across. I often switch off audio and make up my mind based on what the camera has captured. For other videos i.e. Nurnberg trials, just listen to the audio. At the end of the day it's a combination of parts of different videos and books which will give the best overall understanding of any historic event.

Fundamental divisions amongst totally confused viewers become obvious when reading the comments in this or any of the hundreds of similar war documentaries on YouTube. Most comments strings for WW2 videos inevitably turn into a war of words between pro and anti Zionists. Hare brain comments which are made purely for the sake of causing offence will be removed.

On November 12, 1938, Hermann Goering had told the German Cabinet that Hitler was going to suggest to the West the emigration of Jews to Madagascar. Hjalmar Schacht, Reichsbank president, during discussions in London, tried to procure an international loan to send the Jews to Madagascar (Germany would make a profit since the Jews would only be allowed to take their money out in German goods). In December 1939, Joachim von Ribbentrop, the German foreign minister, even included the emigration of Jews to Madagascar as part of a peace proposal to the pope.

Since Madagascar was still a French colony during these discussions, Germany had no way to enact their proposals

without France's approval. Since Madagascar was in no position to support more than a few thousand people - the island would have become a ghetto for several million Jews with conditions of living worse than for Palestinian refugees in the Gaza strip. Contrary to suggestions Hitler made many speeches in which he spoke with a fairly normal tone of voice. Example:

<http://www.youtube.com/watch?v=ZRsI53...>

During the visit, an engineer of the Finnish broadcasting company YLE, Thor Damen, succeeded in recording the first 11 minutes of Hitler's and Mannerheim's private conversation. This had to be done secretly, as Hitler never allowed others to record him off-guard. Damen was given the assignment to record the official birthday speeches and Mannerheim's responses and following those orders added microphones to certain railway cars.

Unfortunately, Mannerheim and his guests chose to go to a car that didn't have a microphone in it. Damen acted quickly, pushing a microphone through one of the car windows to a netshelf just above where Hitler and Mannerheim were sitting. After 11 minutes of Hitler's and Mannerheim's private conversation, Hitler's SS bodyguards spotted the cords coming out of the window and realized that the Finnish engineer was recording the conversation. They gestured to him to stop recording immediately, and he complied. The SS bodyguards demanded that the tape be immediately destroyed, but YLE was allowed to keep the reel, after promising to keep it in a sealed container. It was given to the head of the state censors' office Kustaa Vilkkuna and in 1957 returned to YLE. It was made available to the public a few years later. It is the only known recording of Hitler speaking in an unofficial tone.

There is an unsubstantiated story that during his meeting with Hitler, Mannerheim lit a cigar. Mannerheim supposed that Hitler would ask Finland for help against the Soviet Union, which Mannerheim was unwilling to give. When Mannerheim lit up, all in attendance gasped, for Hitler's aversion to smoking was well known. Yet Hitler continued the conversation calmly, with no comment. In this way, Mannerheim could judge if Hitler was speaking from a position of strength or weakness. He was able to refuse Hitler, knowing that Hitler was in a weak position, and could not dictate to him.

<http://www.youtube.com/watch?v=AlSb4KnxD7Q>

[Note how the narrator states Hitler referred to Russian factory workers as 'animals', which is not what he said. He said the workers 'live like animals'.

Also note how the "absolute evil" and matters "Holocaust" are brought together in this propaganda film that pretends to be an analysis of Hitler's propaganda techniques. - ed. AI.]

When Hitler Honored Jewish Soldiers **Nazi Regime Cited 10,000 Jewish World War I Troops** By [Ofer Aderet](#), Haaretz, July 07, 2014.



UDI BENDHEIM Nazi's Hero?
The German army unit in which Hermann Bendheim served in World War I.

On June 15, 1935, two years after the Nazis' rise to power, Hermann Bendheim was invited to the German Consulate in Jerusalem. The representatives of the Third Reich in Palestine awarded him a badge of honor for his service in the German army in World War I.

Two years earlier, Bendheim had been dismissed from his engineering job in Germany because he was a Jew. In the wake of the dismissal he left his homeland and immigrated to Palestine, a persecuted Jew.

None of this bothered the organizers of the event in Jerusalem. Bendheim was awarded the "Cross of Honor for Fighters on the Front" in the name of the Fuehrer, Adolf Hitler, and the then-late president of the Reich, Field Marshal Paul von Hindenburg, "in commemoration of the World War 1914-1918." Even his professional credential - "certified engineer" - is listed on the certificate. The Nazis also noted his then-current place of residence: "[Kibbutz] Yagur, near Haifa."

June 28, 2014, marked the centenary of the event that triggered World War I: the assassination of Archduke Franz Ferdinand of Austria, in Sarajevo. About 100,000 Jews fought on the German side in the war; 12,000 of them were killed in action. Many were decorated for their valor on the front. Some were even granted the distinguished Cross of Honor. Nazi Germany started to distribute these awards in 1934, to mark the 20th anniversary of the war Germany had lost.

Apparently, some of the children and grandchildren of these Yekkes (German-speaking Jews) in modern-day Israel, many of whom are members of the Association of Israelis of Central European Origin, still have these keepsakes.

"Many of the association's members are descendants of soldiers who fought heroically and tenaciously as part of the German army in World War I," Devorah Haberfeld, the AICEO's director, told me recently. "The fact that Nazi Germany awarded Jewish fighters medals in the name of the Fuehrer and the Reich, shortly before the Jews were stripped of their civil rights and were incarcerated, deported and finally annihilated, is an almost incomprehensible absurdity."

Hermann Bendheim was born in 1899 in the town of Bensheim in southwestern Germany. A teenager when the war erupted, he volunteered for the German army. He served as a gunner on the French front and was awarded the Iron Cross while the fighting still raged. His mother, Hänchen Bendheim, a religiously observant woman, served in the German Red Cross and also received a medal for her contribution to the war effort.

After the war, Bendheim studied engineering at the Darmstadt University of Technology and worked in German industry. On August 28, 1933, he was fired from his job in a porcelain factory as "an undesirable Jew," though the dismissal notice he received sounds more like a letter of recommendation: His many qualifications are listed, but the company notes that because of "political changes and personnel policy stemming from them" – it was compelled to let Bendheim go. "We very much regret having to lose his work capability," the notice states.

That same year he visited Palestine with his fiancée, Erna. The two then returned to Germany and were married, before immigrating in 1934. His son, Dr. Udi Bendheim, a veterinarian who specializes in avian diseases, told Haaretz: "He packed his things, including documents and items that were forbidden to be removed from Germany. He wrapped them all in a towel on which he placed his Iron Cross." When a customs agent opened the suitcase and saw the Iron Cross, he gave Bendheim the Nazi salute and sent him on his way, without examining the bag.

The couple settled in Neshur, outside Haifa, where Bendheim worked as an engineer in a cement factory. Erna and her twin sister opened a boarding house in Nahariya, which is now a boutique hotel named after Erna.

When Bendheim was invited to the German consulate in Jerusalem and to receive the Cross of Honor, the diplomats who received him had no idea, of course, that a few years later, during World War II, Bendheim would volunteer for the Homeland Guard – a civilian defense body that was established in light of a possible German invasion of Palestine. Bendheim died in 1962. His son (the Bendheims' only child) still has the photographs his father took in the Great War. One shows the unit's huge artillery piece, the mega-cannon known as "Big Bertha." The tractor that towed the immense gun to its place is seen in another photo. His father did not tell him about the decoration he received from the Nazis after he immigrated to Palestine.

"It was only after his death, when I was rummaging through his papers, that I found out about it," Udi Bendheim says now. Three years ago, the town of Bensheim held a ceremony in which the square adjacent to its one-time synagogue – which was destroyed during the events of Kristallnacht, in 1938 – was named Bendheim Square, in honor of the family.

Ilana Brosh and her sister, Irit Danziger, also still have the medal awarded by the Nazis to their grandfather. Dr. Adolf Samuel was born in Frankfurt in 1893 to an assimilated Jewish

family. During the war, he was a cavalry officer on the eastern front. According to his granddaughters, he was a "good German patriot," joined the army "enthusiastically" and was proud of his service.

After the war he became a dentist. Following the Nazis' rise to power, he too was decorated by them, "in the name of the Fuehrer and the Reich Chancellor." The award ceremony took place in Frankfurt, in 1935. A swastika is clearly visible on the document Samuel received from the Nazis with the citation, presented by the head of the Frankfurt police.

"He believed that because of his loyalty to the Fatherland, no harm would befall him – after all, he received the coveted Cross of Honor," the granddaughters told me. But in March 1938, realizing he had been wrong, he immigrated to England, setting up a dental clinic in London. He died in 1978.

'Patriotic fever'

"The Jews saw the war as a chance to prove to themselves, to those around them and to the emperor their absolute loyalty: 'more German than the Germans,'" notes Reuven Merhav, a former Foreign Ministry director general and official of the Shin Bet and Mossad security services, who is descended from a Yekke family. "The most prominent of the community's leaders published articles dripping with patriotic fervor. Thousands of Jews who were under draft age made every effort to volunteer for service. Moving nationalist sermons were given in the synagogues."

Merhav's father, Dr. Walter Markowicz, was one of those soldiers. Born in Germany in 1897, he volunteered for the army at the age of 17 and was sent to the eastern front, near Minsk, serving in the signal corps. After the war, he joined the Zionist movement, became a physician and settled in a small town near Cologne.

At the last moment, he and his girlfriend were able to get certificates enabling them to immigrate to Palestine.

"The last document he received, just before he left Germany at the end of 1935, was confirmation from the Fuehrer, Hitler, that the Cross of Honor would be awarded to the frontline soldiers. He also received a character reference from the chief of police, which allowed him to leave," Merhav relates, adding that his father practiced medicine in Israel until his death in 1960, in Haifa.

The award Markowicz received did not help his own father, Julius, who in 1942 was sent to Theresienstadt and murdered there.

"My father never forgave himself for not managing to save him," Merhav explains. "Whenever he spoke about him, sadness crossed his face."

An exhibit at the Museum for German-Speaking Jewry at Tefen, in the Galilee, includes a certificate that accompanied the Cross of Honor for frontline fighters, which was awarded to Otto Meyer on January 4, 1935, in the small German town of Rheda. Two years later, Meyer and his family immigrated to Palestine and settled in Nahariya, like many other Yekkes.

Meyer was born in 1886 in Berlin. He studied law and owned a factory. In 1915 he left his wife and children to take part in the war effort. He fought against the French and rose to officer rank. Like others, he too was awarded the Iron Cross during the war. He sent his families photographs that he took while fighting, along with drawings and letters.

Meyer arrived in Palestine at the age of 51. The doctor of law and former second lieutenant in the German infantry started his new life as a worker in a chicken coop. In his spare time he contributed to the development of Nahariya and its cultural life. He died in 1954. His son, Andreas Meyer, 95, a resident of Kfar Vradim – a locale which, like the nearby Tefen site, was established by the industrialist and Yekke Stef Wertheimer – continues to safeguard his father's decorations and other certificates of honor to this day.

The Nazis' awarding of various distinctions to Jewish soldiers who served Germany was one example of many of the regime's internal contradictions. Other descendants of Yekkes living in Israel today have in their possession doctoral diplomas that were sent from Germany to new addresses in Palestine, in swastika-adorned envelopes. This can be seen as

an example of blind German bureaucracy, or as an inexplicable absurdity.

In the initial stage of the Nazi rise to power, there were some Jews who pinned their hopes on such gestures. On July 19, 1934, the Jewish German weekly C.V.-Zeitung published an article headlined "Cross of Honor," in which it addressed the

subject of the decorations the Nazis awarded to Jews who had fought in World War I. "The German Jews... will bear the Cross of Honor proudly and will keep alive the memory of the great days of the common Jewish-German history," the article said.

<http://forward.com/articles/201573/whenhitlerhonored-jewish-soldiers/?p=all#ixzz36x69fnpA>

An Honest Translation of the Anti-Discrimination Speeches FIFA Has Been Making Players Read

By [Zak Cheney-Rice](#) 8 July 2014

Soccer fans worldwide agree: Brazil 2014 may be the "[best World Cup ever](#)."

Too bad it came at a cost. Amidst the [last minute heroics](#) and [gravity-defying goals](#), people seem to have [forgotten](#) the brutal police crackdowns, rampant dislocation and erosion of social services that enabled the tournament's "success."

Blame FIFA, the sponsoring organization whose callous hypocrisy is matched only by its savvy in obscuring the damage it inflicts. Luckily, we have Australian illustrator [David Squires](#) to keep us honest.

Using the "anti-discrimination" text FIFA has players [read](#) before matches as an entry point, the artist has created a series of comic panels interpreting what these messages *really* mean.

Check them out:

The breakdown: Moving clockwise from the top-left, the first panel alludes to the [corruption allegations](#) around FIFA's decision to let Qatar host the tournament in 2022.

In early June, the *Guardian* reported that Mohamed bin Hammam — a Qatar native and former member of FIFA's executive committee — allegedly "[paid](#) \$5m in cash, gifts and legal fees to senior football officials to help build a consensus of support behind the [nation's] bid."

The charges are under investigation, but critics are already [calling](#) on FIFA to reopen the 2022 bidding process. Things aren't looking good.

Second: The next panel is a stab at FIFA's hypocritical stance on homophobia. In expressing its commitment to "eradicating" this form of bigotry, the organization fails to see the irony in awarding the next two World Cups to Russia (2018) and Qatar (2022), two nations whose records on LGBTQ rights are [far from sterling](#).

When it hosted the Winter Olympics in Sochi earlier this year, the Russian government's notorious "[anti-gay propaganda](#)" laws were met with widespread international protests, tainting the games. In Qatar, homosexuality remains illegal and extramarital sex of any kind is punishable by [death](#).

Third: The bottom-right panel touches on the disturbing labor practices behind the construction of Qatar's and Brazil's World Cup stadiums.

In Qatar, dangerous working and housing conditions have resulted in the deaths of over [1,200](#) migrant workers from India and Nepal, with [4,000](#) deaths expected by the time the tournament begins.

Construction for Brazil's World Cup and 2016 Summer Olympics venues have similarly come under fire:

[Charges](#) alleging "forced displacements and evictions, forced labour, discrimination, lack of consultation of affected communities, child labour and violent repression of protesters" abound.

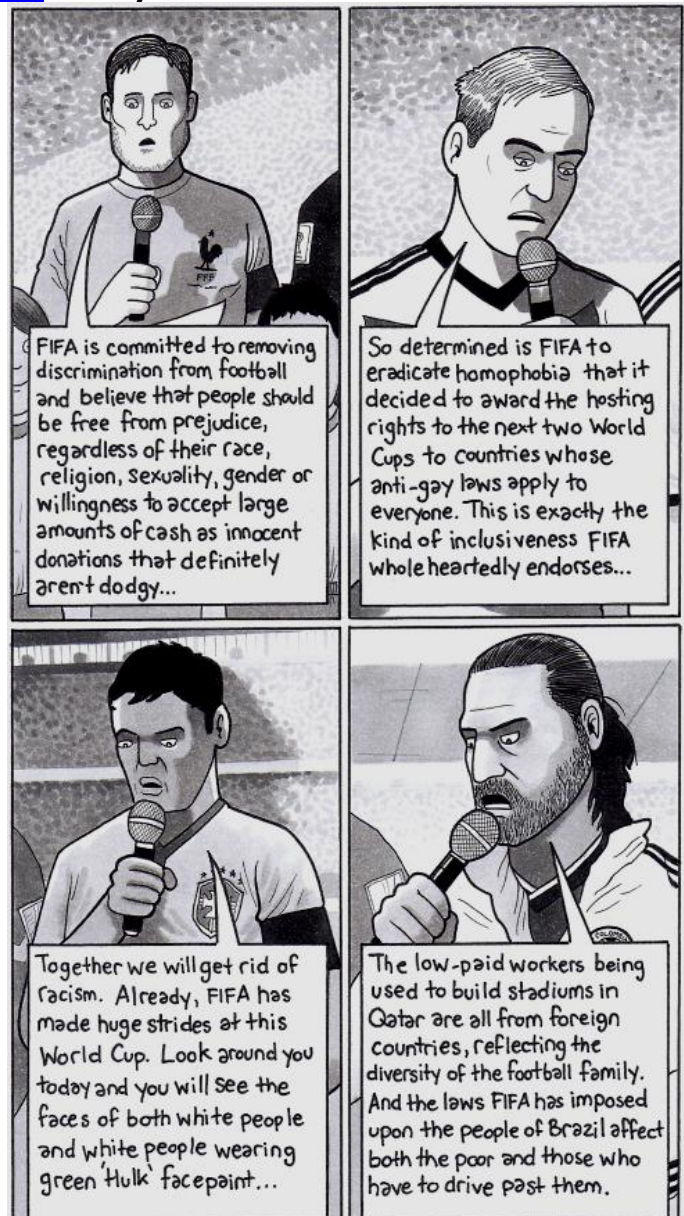


Image Credit: [David Squires](#)



Mohamed bin Hammam Image Credit: AP



Image Credit: AP

Finally: And what would an international sporting event be without a hefty dash of racism?



Image Credit: [Press TV](#)

This World Cup's standout incident came when Team Germany supporters were photographed wearing [blackface](#) to a Ghana match.

But professional soccer has never been a stranger to racist fans: Racial epithets and [bananas](#) hurled at black players are just part of the equation and are often met with harsh punishment and lifetime bans.



Image Credit: Getty

The panel may also be alluding to the perceived whiteness of World Cup attendees, no doubt stemming from high American and European fan attendance.

So: FIFA's dirty laundry is on full display here and hopefully, as a result, it will become more difficult to watch the tournament without considering its implications. The people who suffered to make this the "best World Cup ever" deserve recognition. And David Squires deserves a pat on the back for giving FIFA the public flogging it's so rightfully earned.

<http://mic.com/articles/93049/an-honest-translation-of-those-anti-discrimination-speeches-fifa-has-been-making-players-read>

Holocaust Education Conference brings hundreds of educators from across the world to Yad Vashem

Written by EJP , Monday, 07 July 2014 08:26

JERUSALEM ---Hundreds of educators from across the world will attend this week the 9th International Conference on Holocaust Education at Yad Vashem's International School for Holocaust Studies in Jerusalem. The conference, from July 7-10, is entitled "Through Our Own Lens: Reflecting on the Holocaust from Generation to Generation" and includes some 450 participants from 50 countries including China, Poland, Argentina, Canada, Namibia, Venezuela, Greece, and Spain.

The conference is split into three sections: the purpose of Holocaust documentation on the part of the first and second generations; how the events of the Shoah continue to find significance in the lives of those born afterwards; and the future of Holocaust education and remembrance among the youth of today – and tomorrow.

The conference's panels, discussions and lectures will be presented by prominent guest speakers including internationally renowned authors, filmmakers, theologians, world-class historians and technology experts which will primarily focus on this central theme of generational responsibility in the perpetuation of Holocaust remembrance and education. Among them are Justice Gavriel Bach, former deputy prosecutor in the prosecution of Adolf Eichmann, Professor Yehuda Bauer, Academic Advisor to Yad Vashem, Holocaust survivor and author Professor Rabbi David Halivni,

historian and author Professor Daniel Jonah Goldhagen, and French lawyer Serge Klarsfeld, who led prosecutions against Nazis and their collaborators.

Each part of the conference is designed to examine the unique role of Holocaust survivors, and the second, third and fourth generations, in sustaining effective and meaningful Holocaust education for various age groups as well as to meet the many challenges currently faced and those anticipated in the future.

"As the events of the Shoah are rapidly receding into history, it is incumbent upon us to explore how each generation has grappled with, and continues to find significance in, the implications of the Holocaust," said Chairman of the Yad Vashem Directorate Avner Shalev.

"As our documentation efforts continue to evolve with the many technological advances that have made the presentation of information more accessible to a wide array of audiences, our responsibility in continuing to shape and inform the future of Holocaust commemoration and education remains as vital and relevant as ever."

Yad Vashem's International School for Holocaust Studies conducts dozens of seminars annually for educators from around the world, and produces educational material in over 20 different languages. Established in 1993, the International School is a world leader in Shoah education; working to implement

...here's a believer justifying his belief in the Holocaust; compare this to a scholastics discussion that's trying to ascertain how many angels fit on a pin-head – ed.-AI.

QUADRANT

The Ideology of Holocaust Inversion

DARYL MCCANN, 11 MAY 2014

Here's the logic: Auschwitz is an outcome of Nazism, Nazism a form of fascism, fascism a variety of fundamentalism, fundamentalism an expression of absolutism, absolutism is a by-product of certainty and certainty the result of intolerance. Equate "intolerance" with Auschwitz? Yes, they do

On Sunday January 8, 2012, twenty-three Australian educators gathered in the seminar room on the ground floor of Prima King's Hotel, Jerusalem, and commenced a seventeen-day scholarship-funded Holocaust studies program. One of the Yad Vashem co-ordinators of the "Teaching about the Shoah and Anti-Semitism" course invited us to introduce ourselves and explain why we were forgoing an Australian summer to investigate the harrowing details of genocide. Learning the importance of tolerance seemed a priority for many of my compatriots. The logic of this, I assumed, was that since intolerance played a key role in bringing about the murder of six million Jews, greater tolerance in society (and in the classroom) creates a better environment for people to co-exist harmoniously, thus diminishing the likelihood of another Hitler-style genocide or, at any rate, crimes of a related but lesser magnitude. For an instant I was almost persuaded—but not quite.

A recent article by Simon Critchley in the *New York Times*, "[The Dangers of Certainty: A Lesson from Auschwitz](#)", attempts to make sense of the psychosis of the Holocaust in terms of "intolerance". Critchley's piece is a reflection on the confronting scene at the end of the eleventh episode of the powerful twelve-part documentary *The Ascent of Man* (1973), in which Jacob Bronowski plunges his hand into the ponds of Auschwitz where the remains of over a million murdered Jews, including members of his own family, were flushed. Bronowski cogently argues that the triumph of Nazi dogma transformed Germany into a nation of "obedient ghosts" and "tortured ghosts". Critchley, extrapolating from Bronowski's thesis, warns that Auschwitz "can repeat itself" unless "the play of tolerance opposes the principle of monstrous certainty that is endemic to fascism and, sadly, not just fascism but all the various faces of fundamentalism". We can agree with Critchley that Auschwitz is an outcome of Nazism, Nazism a form of fascism, fascism a variety of fundamentalism, fundamentalism an expression of some kind of absolutism, absolutism one of the by-products of certainty and certainty often the result of intolerance—but to equate "intolerance" with Auschwitz? Please.

There is the problem of people not only misconstruing the Holocaust, but also commandeering it for their own disparate political agenda. Many take advantage of Holocaust Remembrance Day on January 27—the date of Auschwitz's emancipation—to sound off about whatever constitutes the hot button of the moment. The real causal agents of the Holocaust, not to mention the actual Holocaust victims, are sometimes overlooked altogether. Baroness Catherine Ashton,

vice-president of the European Commission, failed to mention the word *Jews* even once in her 2014 Holocaust Remembrance Day statement, despite warning of the need to "keep alive the memory of this tragedy" in order to prevent—you guessed it—"any form of intolerance". The lessons from the Holocaust for modern-day Europe, in the opinion of Ashton, are "the dangers of hate speech" and the need to respect "diversity". Nevertheless, the Holocaust has little to do with Ashton's latter-day leftist bromides and everything to do with the industrial-scale slaughter of millions of innocent people by eliminationist anti-Semites. As the late Elie Wiesel affirmed: "The Holocaust is not man's inhumanity to man—the Holocaust is man's inhumanity to the Jews."

One does not have to agree with Theodor Adorno's Frankfurt School neo-Marxian explanation for the Holocaust to appreciate his famous admonishment: "The premier demand upon all education is that Auschwitz not happen again." In *Education after Auschwitz* (posthumously published in 1973), Adorno argued that the "monstrosity" or "anti-civilisation" of the Holocaust cannot be disregarded as an "aberration of the course of history" or a "superficial phenomenon" amid humanity's "great dynamic of progress". The horror of the extermination camps must be faced and understood. The twenty-three Australian educators wintered in Jerusalem because Hitler's "fury against civilisation" still casts a dark shadow over our life's work, which is to fight on the side of enlightenment against the forces of anti-civilisation: "Every debate about the ideals of education is trivial and inconsequential compared to this single ideal: never again Auschwitz."

The expansive Yad Vashem memorial site is located on Mount Herzl in Jerusalem. The vast complex contains a library and research institute, a publishing house, the Museum of Holocaust Art, memorial sites such as the Children's Memorial and the Hall of Remembrance, various outdoor memorial sites including the Valley of Communities. We spent much of our time in the new International School for Studies extension, but perhaps our most confronting time at Yad Vashem was the day we visited the Holocaust History Museum. It is a most solemn and powerful encounter with the past. I took copious notes, as if writing everything down would help make sense of it all, but for the most part what I experienced was a kind of brain-freeze. The Holocaust involves a form of devilish madness that mocks contemporaneous notions of "tolerance" and "intolerance". Somewhere in the middle of our tour we were all called together to reflect on a site displaying official German estimates concerning the distribution of Jewry in Europe circa 1941.

Nazi-occupied Poland (also known as the Government General) came in at 2,284,000. Also in Category A—nations already under the jackboot—was the Netherlands with 160,800. Category B, countries remaining on the Wehrmacht's "still to do" list, included the Ukraine (2,999,684) and Hungary (742,800). England's Jewish population purportedly stood at 330,000. Their fate might have been otherwise had the Battle of Britain turned out differently and Operation Sea Lion

proceeded as planned. The psychosis of the Nazis is exemplified by the inclusion in Category B of some 200 Albanian Jews. Consider the implication. Here were have Hitler *et al*, in the midst of amassing an invasion force of four million soldiers for Operation Barbarossa, making careful note of a couple of hundred Jews on the periphery of Europe. Hitler's so-called "Comprehensive Solution to the Jewish Question" cannot be regarded as tangential to his War of Annihilation against Stalin. In fact, it signified—as German historian Eberhard Jäckel has argued—the very essence of Hitler's *Weltanschauung* (systematised worldview).

In *Hitler's Worldview* (1969), Jäckel contends that Hitler outlined the case for exterminationist anti-Semitism (*Vernichtungantisemitismus*) in *Mein Kampf* (1925) and further developed his political ideology in the unpublished sequel, *Zweites Buch* (1928). "The Aryan race", according to Hitler, had found itself in a merciless and inexorable life-and-death struggle with "the Jewish race". The actual details of the Final Solution were to a greater or smaller extent dependent upon later events and yet the idea existed as early as the mid-1920s.

Eberhard Jäckel has endured much criticism over the years from "functionalist" historians who, by contrast, emphasise the contingent aspects of the Holocaust and question the directness of the line between Hitler's fulminations in the 1920s and the particularities of Auschwitz. To be fair, Jäckel has acknowledged the pertinence of various unforeseen factors affecting the final course of events, including the rivalry between Himmler and Heydrich, and recognises the *ad hoc* nature of aspects of the death camp program. On the other hand, the functionalism-versus-intentionalism debate loses much of its exigency if we accept that the primary purpose Hitler assigned to the Second World War was—or, at the very least, *became*—the Final Solution. How else to make sense of the resources he invested in the industrial-scale slaughter of hundreds of thousands of Hungarian Jews at the same time as Stalin's potent and remorseless army drew ever closer to the Fatherland?

Thus, *Lebensraum* and *Vernichtungantisemitismus*—"space and race"—represent two sides of the same Nazi scheme, the latter even more imperative to Hitler as the former grew less likely.

Richard Landes, in *Heaven on Earth: The Varieties of the Millennial Experience* (2012), maintains that the context of Hitler's systemised worldview was the post-Great War apocalyptic mood that infected Germany. The "unbearable loss of control, the impotence, the humiliation" that accompanied defeat in 1918 provoked a sense of millennial end times: "Apocalyptic time took authoritarian German culture from the *dominating imperative*, 'rule or be ruled' to the *paranoid imperative*, 'exterminate or be exterminated'." If the German people were increasingly embracing "a virulently zero-sum dualism", Adolf Hitler was a "world-historical actor" able to animate the dark fantasy of the *Protocols* in the imaginations of his people: "The Nazis articulated a vision in which the very existence of the rival chosen people, the Jews, meant the certain death of the German people."

In the 1990s, historians debated the nature of German attitudes towards Jews during the Final Solution. A tiny section of the population had risked everything to protect Jewish people, although the heroics of an Oskar Schindler, a Sudeten industrialist, were rare. Christopher Browning's *Ordinary Men: Reserve Police Battalion 101* (1992) is a study of 500 ordinary middle-aged German men of working-class background seconded by the Nazi regime to German-occupied Poland. Their assignment involved rounding up Jews to be transported to death camps, including the one at the Auschwitz complex. These men committed countless atrocities and yet expressed no bloodlust or overwhelming enthusiasm for their homicidal work, seemingly motivated by obedience to authority and peer pressure rather than any personal pathology towards Jews. All were free to return to Germany if the stress became too much, but only fifteen did. Daniel Jonah Goldhagen's *Hitler's Willing Executioners: Ordinary Germans and the Holocaust* (1996) is in many ways a response to *Ordinary Men* and asserts that the

Holocaust was the logical outcome of long-standing German Judeophobia: the Nazis simply gave the green light to a nation of genocidal anti-Semites.

Goldhagen's book is a powerful read, and yet these days its central thesis has far more detractors than supporters. A more tenable position is that long-standing German Judeophobia was a necessary but not sufficient condition for the Holocaust. Had President Hindenburg not offered Hitler the chancellorship, the Nazis' insane ideology might never have been put into practice, which makes January 30, 1933, the real contingency in the diabolical Nazi project. The Führer was not merely some populist strongman propping up the interests of Big Capital by appealing to the bigotry (or intolerance) of the lower middle class, as Marxists are wont to insist. His revolutionary creed, with exterminationist anti-Semitism at its core, hijacked Germany and drove it to moral and military ruin. He co-opted the whole nation, the judiciary, the church, the intelligentsia, business, the media, the Wehrmacht, the education system and the ordinary man for his evil purposes. The triumph of Hitler, as Bronowski says, transformed Germany into a nation of "obedient ghosts" and "tortured ghosts".

The more grotesque of the "obedient ghosts" ran the death camps: monsters such as Auschwitz's Rudolf Höss. According to Piotr Setkiewicz's *The Private Life of the SS in Auschwitz* (2013), Höss was devoted to his own children and kind-hearted to animals while at the same time supervising the slaughter of 1.2 million innocent people. Setkiewicz provides this eyewitness account of Höss by his Polish maid: "He tucked his children into bed every night and he kissed his wife each morning. He wrote poems about 'the beauty of Auschwitz'." This is the same SS-Obersturmbannführer Rudolf Höss who installed the gas chambers and crematoria at Auschwitz capable of killing up to 2000 people every hour. Before his own execution in 1947, Höss confessed to having felt "weak-kneed" after pushing hundreds of screaming, pleading children into the gas chambers. A pep talk from Adolf Eichmann on Nazi ideology assuaged Höss's sense of his guilt. There was, explained Eichmann, no value in "leaving a generation of young people who can be possible avengers of their parents and can constitute a new biological cell for the re-emerging of this people".

The absolute indifference on the part of the German populace to European Jewry was less of a crime than the butchery committed at the extermination camps and yet it still amounts to a transgression against humanity. Some historians are wary of giving too much weight to Hitler's role in events. This is not just a matter of the David Irvings of the world wanting to minimise the Führer's role in the Final Solution, but a genuine concern that the idea of Hitler's sole rule (*Alleinherrschaft*) might exculpate "Hitler's people" from responsibility. Sole rule, however, does not absolve individual Germans from blame, except in extreme circumstances when someone was *forced* to commit crimes against humanity; and such cases, Browning's *Ordinary Men* suggests, were more the exception than the rule.

It is not the absence of imprecise qualities such as "tolerance" or "open-mindedness" that brings us closer to an understanding of the psychosis accompanying the Holocaust. Many Germans were tolerant and open-minded all right—tolerant and open-minded about Hitler's *Weltanschauung*. The fundamental cause of the Holocaust was the investment by the population—with brave and honourable exceptions—in Adolf Hitler's radical ideology at the price of their own individual moral sovereignty. Hitler's zero-sum anti-Semitism—"the very existence of the rival chosen people, the Jews, meant the certain death of the German people"—helps explain why so many Germans were, at the very least, supremely indifferent to the fate of six million Jews, although it does not excuse their behaviour.

There is a display at one of the final stations in the Holocaust History Museum marking VE Day, May 8, 1945. On that day, from London to Moscow, people were at last free to celebrate the end of the Nazi nightmare—everybody, paradoxically, but

European Jewry. "Hitler's shadow", to use the expression of the Jewish philosopher Emil Fackenheim, did not disappear for the Holocaust survivors who made their way back home only to discover that home no longer existed. Their traditional communities had vanished and so nobody was there to meet them. Strangers, more often than not, had appropriated Jewish property and balked at the idea of giving up their ill-gotten gains. Kielce, a Polish town, was home to 24,000 Jews in 1939. By the middle of 1946, some 200 Holocaust survivors had returned, hoping against hope to take up where their old lives left off. The locals were having none of it. On July 1946 a pogrom resulted in the murder of forty-two of the Holocaust survivors.

Emil Fackenheim's "614th commandment" is not without its detractors and is tough to summarise. The general concept is that there must be no "posthumous victories" for Hitler to add to his "victory at Auschwitz". The individual lives that were destroyed must not be forgotten—each of them, to the best of our ability, should be remembered and memorialised. Judaism, moreover, must remain in the world as an eternal rebuke to the aims of the Final Solution. Accordingly, Holocaust survivors and the Jewish nation in general cannot allow the unutterable horror of the Shoah to destroy their faith in God, because that too would constitute a posthumous triumph for Adolf Hitler. Fackenheim came late to Zionism. It was not until 1967 that he understood—to the depths of his soul—the necessity of a Jewish state to safeguard and promote all that Hitler wished to erase from the face of the Earth.

Before exiting the Holocaust History Museum, a visitor catches a panoramic view of modern-day Jerusalem beyond a vast windowpane. The shock of the Holocaust and the logic of the State of Israel unified in one image.

One of the great surprises of our seventeen-day program was to be addressed by Hannah Pick (born in 1928), best friends with Anne Frank before the Frank family went into hiding. Hannah had thought the Franks escaped to Switzerland and was shocked to discover Anne was her neighbour in the exchange camp of Bergen-Belsen in January–February 1945. A wall divided the two friends, but Hannah—who was in a less oppressive part of the compound—managed to pass a package with bread and a few clothes to Anne. Some conversation occurred between them, but Anne's voice sounded weak—she would not survive to see freedom.

The Diary of Anne Frank is the tale of the final stages of the life of a Jewish girl doomed to an early death. But for the boys of my generation it was something more than that; it initiated us into the day-to-day reflections of a keenly intelligent and spirited teenage girl. Anne Frank introduced us to "The Other" without fear or prejudice, and the anti-Semites of the world have never forgiven her.

Hannah Pick might be diminutive and well into her eighties, but there is nothing frail about her. She spoke powerfully and volubly, and her last sentence caught us all off guard. "Don't believe everything they say about us," she warned, before disappearing from our lives with a silent dignity. That evening as our bus wound its way down Mt Herzl to our hotel in western Jerusalem, I wrestled with Hannah's caution. What particular lie, slander, smear, slur and vilification did Hannah want us not to believe? It was almost impossible to know where to begin, the list being so outlandishly extensive. There is always the 1144 Blood Libel, or perhaps *The Protocols of the Elders of Zion*. Possibly we should start with the Holocaust deniers, such as Dr Robert Faurisson and David Irving, who questioned the authenticity of Anne Frank's diary. Not even the 270-page report published by the Dutch State Forensic Science Laboratory in 1981 declaring Anne's writings between 1942 and 1944 to be no forgery satisfies the hardcore deniers. Maybe the Dutch authorities at the time were acting as part of a global Jewish conspiracy to deny the world the truth?

Hannah Pick's admonition was still on my mind a few days later when our study group visited Tel Aviv for a guided tour of Independence Hall, the place where David Ben-Gurion proclaimed the independent State of Israel on Friday afternoon, May 14, 1948. Along with the Old City of Jaffa, our

other stop-off that day was the Palmach Museum in Tel Aviv. The Palmach was the strike force of the Haganah, one of the pre-state underground defence organisations incorporated into the Israel Defence Forces after 1948. Given that the Palmach, along with its allies, was triumphant over Palestinian Arab militia (1947–48) and the armed forces of Iraq, Egypt, Syria, Jordan and Lebanon during the War of Independence (1948–49), it is not surprising that a note of triumphalism—or, at the least, accomplishment—pervades the Palmach Museum. Nevertheless, a sense of disquiet overcame me.

I found myself thinking about the famous cable sent to the Zionist Congress in Basel in 1897 by two of its representatives investigating the suitability of a Jewish state located in southern Ottoman Syria: "The bride is beautiful, but she is married to another man." It was perfectly possible, I realised, for me to be sympathetic to the Zionist project, which is really the Jewish people's national liberation movement, but also to care about the fate of Arab Palestinians. The claim by Israel Zangwill that Zionists might view the territory in question as "a land without people for a people without land" was always problematic. In 1921, the League of Nations went some of the way to solving the problem by agreeing to the creation of East Palestine, which took the name Trans-Jordan. Twenty-six years later, along the same lines, the United Nations passed Resolution 181 recommending the establishment in Mandatory Palestine of both an Arab state and a Jewish one. David Ben-Gurion accepted Resolution 181, but Haj Amin al-Husseini and the Arab Higher Council rejected it outright.

Rejectionism has been the theme of Palestinian Arab leaders ever since. For instance, Yasser Arafat, chairman of the Palestine Liberation Organisation and later president of the Palestinian Authority, never accepted Resolution 181, even though by recognising it—at any time of his choosing—he would have instantly legitimised an Arab state on the territory of British Palestine. Of course, such an action on Arafat's part would have simultaneously validated or authenticated the existence of the State of Israel. Revisionist historians can rewrite history in any way that pleases them, but the fact remains that the Israelis have been prepared to accept an Arab state on what was once British Mandatory Palestine in 1948, 2000, 2001, 2006 and again today if the Arab Palestinian leadership were not rejectionists seeking the destruction of the State of Israel.

If ever there was ever a case for rejectionism it has long since passed. The life and times of Haj Amin al-Husseini, ostensible leader of the Palestinian Arabs until 1948, should be warning enough for what happens when you cross anti-Zionism with Judeophobia. The Mufti of Jerusalem had this to say in 1943 on Berlin radio: "Kill the Jews wherever you find them. This pleases God, history and religion." A year later, knowing full well what Hitler's Final Solution entailed, he spoke about "the scourge that Jews represent in the world". This kind of virulent anti-Semitism is now par for the course in too many parts of the Arab world. Recently, the Palestinian Authority Minister of Culture, Anwar Abu Eisheh, awarded a special plaque to the Egyptian poet Hesham El-Gakh for a poem that included the usual poisonous blather: "Our enemy, Zion, is Satan within a Tail".

An essential point is that both Arab nationalism (*à la* Nasser) and Islamism (the Muslim Brotherhood) have relied upon anti-Israeli, anti-Zionist and, ultimately, anti-Semitic premises in order to fortify the two disparate ideologies. Richard Landes makes the connection to Hitler's worldview:

All anti-modern manifestations of Jew hatred share many of the apocalyptic elements of Nazi ideology—the sense of urgency at the nearly complete conspiracy, the ferocious hatred of a cosmic enemy, the profoundly paranoid sense of being suffocated by Jewish success, the assumption that all major developments of modernity (marriage of capital and technology, urbanisation, constitutional governments, public media, and public atheism) stemmed from the Jews and threatened chaos and enslavement.

Ideology stops people thinking, which is bound to turn into a tragedy when the Dear Leader is a demagogue. The Egyptian

novelist Youssef Ziedan has spoken of the need for his compatriots to "reconsider our notions regarding the Jewish question", lamenting the reality that anti-Semitism "has become a common trade" in his country even though it only ends up "benefiting all our politicians". Significantly, over 800,000 Sephardi Jews fled to Israel as a consequence of post-1948 Arab anti-Semitism.

Modern-day leftism is also succumbing to anti-Zionism and anti-Semitism. Informing an escalating number of progressive institutions in the West, from British Methodists to Oxfam, is the ideology of Holocaust Inversion. Having graduated from the conventional Marxist ideology of the Old Left, aficionados of the New Left believe they are no longer encumbered by any kind of ideology, and yet these are the same folk who believe Zionism parallels Nazism, Palestinians are the Jews of the Third Reich, and that the Jerusalem security barrier echoes the corralling of Jews in the Warsaw ghetto.

No wonder they cannot make sense of why 1300 West Bank Palestinians and another 450 Israeli Arabs are enthusiastic about working alongside their Jewish co-workers in the Israeli-owned SodaStream manufacturing plant. Contemporary leftism is so removed from the concerns of the working class, they seem not to care if the SodaStream enterprise treats all of its employees properly, pays them an excellent wage and creates a work atmosphere in which everybody feels part of a family irrespective of nationality.

For middle-class lefties in the West, ideological purity comes before the aspirations of ordinary people any day. Blinded by their anti-Zionist faith, BDS (Boycott, Divestment and Sanctions) thugs bang their drum outside Jewish-owned stores in Australian cities without realising that we have seen all this before—in the 1930s, to be precise.

In April 2012, after returning from Israel, I attended (with a friend) a BDS-associated meeting. When the management committee called for comments from the 150-member audience, I waited for my chance to use the portable microphone and ask some questions. I wanted to share with everyone, as politely and articulately as I could, my opinion that apartheid does not exist in Israel, that a Supreme Court judge is Arab, that Arab citizens enjoy equal legal and political rights with Jews, that Israel is multi-ethnic, that Tel Aviv is a sanctuary for gay Arabs, and that modern-day Israel is a dynamic, liberal democracy. They took the microphone away from me. Fellow attendees glared at me as if I had interrupted a Sunday morning church service to announce the non-existence of God. Ideology, as all fanatics appreciate, is a religion—and a lethal one at that.

Daryl McCann wrote on the Obama approach to the Middle East in the March issue. He has a blog at darylmccann.blogspot.com.au.

[HTTP://QUADRANT.ORG.AU/MAGAZINE/2014/05/LETHAL-IDEOLOGY-HOLOCAUST-INVERSION/](http://quadrant.org.au/magazine/2014/05/LETHAL-IDEOLOGY-HOLOCAUST-INVERSION/)

18C AND THE LEFT'S MUZZLING OF DISSENT

JEREMY SAMMUT, July 09th 2014

The reason Section 18C must be scrapped could not be more simple: politically-motivated lawfare makes the price of free speech far too high. The so-called right of others not to be offended restricts our freedom to fully and freely discuss subjects of national importance.

SECTION 18C IS ABOUT DEMOCRATIC RIGHTS

Section 18C of the Racial Discrimination Act (RDA) was legislated by the Labor government led by Paul Keating in 1995, and makes it illegal to "insult, humiliate, offend or intimidate" a person on the basis of race. This is the law the newspaper columnist Andrew Bolt was ruled to have breached in 2011 when the Federal Court found him guilty of writing racially-vilifying articles about Aboriginal identity and entitlement.

The ensuing controversy about whether or not Section 18C should be repealed has encompassed a larger discussion about the allegedly racist character of Australian society. Supporters of the RDA maintain that Section 18C is a valuable means of combating the racism innate in the national character. Refuting the idea that Australian is a racist country is central to the case for repeal of Section 18C. However, the debate over the future of the RDA is about more than an accurate assessment of contemporary Australian social attitudes. Ultimately, it is a question of democracy: it is about the freedom Australians should have to discuss controversial issues and express dissenting views on race-related subjects such as Aboriginal identity and multiculturalism without facing legal action.

The Bolt case has touched off an extended discussion of freedom of expression in Australia. Much of the Section 18C debate has therefore focused on the principle of free speech, and rightly so. It is correct that in a free society, people should be free to say what they wish, because it is a dangerous business for the authorities to get involved in regulating speech. However, to bolster the Abbott government's seemingly faltering plans to amend the RDA, the arguments for repeal of Section 18C need to be broadened beyond the individual right to free speech. It needs to be made clear that also at stake over Section 18C is the democratic right to collectively determine how we are governed through the free discourse of competing ideas. To appreciate how democracy is at risk, we need to review the origins and understand the intellectual and political circumstances surrounding the creation of Australia's "hate speech" laws.

REMEMBER THE NINETIES: THE NATIONAL IDENTITY DEBATE AND AUSTRALIAN "RACISM"

Since the 1960s, the humanities in Australian universities have been largely controlled by what is called the "new class" of politically-motivated academics. Forgoing the traditional academic values of disinterested pursuit of knowledge, members of the new class have pursued a political agenda obsessed with the question of power relations and how certain groups in society use power to oppress assorted victims along class, gender and racial lines. In the 1970s in Australia, the focus was on oppression of the working class. In the 1980s, the focus was on oppression of women. In the 1990s, the focus shifted to the oppression of racial minorities.

This account of the politicisation of the Australian academy over-simplifies. However, this chronology of dominant themes stands up to historical scrutiny, especially as the new-class thinking on race and Australian society reached a peak of influence during the period of the Keating government (1992 to 1996) and coincided not only with the legislating of the Section 18C hate speech laws, but also with what came to be termed the national identity debate.

This debate revolved around the proposition that as the nation reached the end of the first hundred years of nationhood, Australian national identity needed to be reinvented to overcome the odious aspects of our history. This reinvention principally encompassed the nation severing its traditional constitutional ties with Britain and becoming a republic suitably infused with multicultural values as a form of national penance for Australia's racist past. The Keating government's plan for a multicultural republic, in short, was new-class scholarship translated into a political project.

The nation's heritage makes it hard initially to disagree with the new-class assessment of Australia as a racist country. The White Australia policy was the first legislation passed by the new federal parliament in 1901. Yet it was always odd for the new-class analysis to deny the passage of time and the evolution of national attitudes. The White Australia policy was effectively scrapped in the mid-1960s, and the development of

a non-racially-discriminatory immigration policy, beginning in 1947 with the postwar mass migration program, had transformed Australia into perhaps the most successful multiracial society on earth.

I was studying Australian history at university as the national identity debate unfolded in the 1990s. Even to a callow undergraduate, it appeared that the new class was ignoring large chunks of our national history—and was doing so to make a political point that would advance their radical agenda of remaking the nation's identity. It shocked me that the new class appeared to be strangers in their own country, as their indictment of the nation was obviously wrong to anyone who cared to have an honest look at the real qualities of contemporary Australian society. The tale told of persistent Australian racism did not tally with my own family and personal experiences of migration, intermarriage and integration (my paternal grandparents emigrated from Malta in the 1920s), and of the freedom of all comers to make the best of themselves without encountering race-based structural barriers.

Refuting the idea that Australia is a racist country is a topic I have periodically addressed as both a postgraduate student and as a think-tank researcher at the Centre for Independent Studies (CIS). This includes an article I wrote in *Quadrant* in December 2005, "The Long Demise of the White Australia Policy", explaining how the transformation from White Australia to multiracial Australia occurred. The short version of my explanation for how the nation overcame its racially exclusory heritage is that as national attitudes evolved, the national ethos became colourblind and the fair-go ethos that rules most social relations in Australia was extended to all Australians, old and new, regardless of colour or creed.

This is the argument I have returned to in a number of articles I have written on Section 18C; it remains the substance of my retort to the claims made by the opponents of repeal. Removing the hate speech provisions from the RDA will not unleash the racism supposedly latent in the Australian character because it is the national egalitarian culture, not the legislation restricting free speech, which is responsible for keeping the nation overwhelmingly tolerant and harmonious. Lifting restrictions on free speech will not expose the dark underbelly of Australian racism, since the nation had already developed the foundations of a tolerant national culture well before the RDA was legislated in 1975, let alone before Section 18C was added in 1995.

"THAT'S RACIST":

THE POLITICAL ORIGINS OF HATE SPEECH LAWS IN BRITAIN AND AUSTRALIA

Understanding the true character of Australian society is a crucial aspect of the case for repeal of Section 18C. However, there is another dimension to the issue—the nature of politics and role of free discussion in a democratic society—that has not been adequately explored in the debate so far, with respect to the way hate speech laws stifle discussion of politically incorrect topics.

Australia's Racial Discrimination Act was based on the British Race Relations Act of 1965. In Britain in the 1970s, the Race Relations Act was felt not to be working properly because the controversial Tory politician Enoch Powell could not be prosecuted for making speeches questioning the rationale for mass migration from the former colonies of the British Empire and for warning of the social problems and racial tensions that immigration had engendered in British society. Powell was unable to be prosecuted for allegedly stoking racist prejudices against "coloured" migrants because under the Race Relations Act it was necessary to prove intent to incite racial hatred. Intent was therefore removed as a requirement for prosecution for use of "threatening, abusive or insulting" language—a precedent and precursor to what would become Section 18C in Australia.

One of the arguments in favour of repeal of Section 18C is that language which incites racial violence will remain a crime in Australia under state and territory criminal statutes. This is dismissed by supporters of Section 18C because their

objective, and the objective of hate speech laws in general, is not to preserve the peace so much, but to use the law (or "lawfare", as it has come to be called) to achieve a political objective: to suppress dissent and reinforce the Left-progressive consensus about controversial political and social issues than prevails in academia, the media, and in much of the political class.

The British experience bears this out: the aim of amending the Race Relations Act was to shut down the discussion of the problems associated with immigration sparked by Powell by establishing a statutory mechanism that would brand as racists those who raised the subject. Note that the threat of potential legal action can be sufficient to deter discussion. Not only is this legal manoeuvre inherently opposed to free speech, it is also deeply anti-democratic, as it is based on the idea that some topics are unfit for public discussion and deliberation by the citizenry.

The progressive consensus that immigration and the closely related subject of multiculturalism should not be discussed extends to Australia and is also predicated on the belief that discussion will foster racism—or rather, will stir up the racism believed, wrongly, to be at the centre of the national character.

I disagree for the reasons explained. But we should also be wary of how the cause of anti-racism is exploited to shut down legitimate debate, given the need to discuss the topics of immigration and multiculturalism as openly as possible. Despite Australia's success in the last sixty years, mass migration and multiracial societies remain a grand experiment—a virtually unprecedented experiment until the second half of the twentieth century. It is important to assess how the experiment is going periodically, to detect and address potential problems. Free discussion is important to instil public confidence and create support for immigration. If responsible people and politicians do not talk about these subjects, the danger is that irresponsible people will exploit community concerns. There are many examples in European countries that could be cited to prove these points, for example, the success of the National Front in France.

We don't need to look overseas. During the period of the Keating government, attempts to discuss immigration and multiculturalism ran up hard against the progressive consensus: the reply by media, academic and political elites to those who dared raise these subjects, in the worse anti-free speech tradition, was, "You can't talk about that because that's racist", with Section 18C the institutional expression of that sentiment. There was a community backlash against the shutting down of debate, in the form of the rise to political prominence of Pauline Hanson after the 1996 federal election.

THE PERSECUTION OF ANDREW BOLT: HANSON REDUX?

The Hanson phenomenon shows that it is politically self-defeating and in fact dangerous to try to suppress free discussion. Nevertheless, this has happened again in the Andrew Bolt case.

Bolt's offence was to question whether people who identified as Aboriginal, but who may not have experienced any discernible disadvantage, should be entitled to race-based assistance such as government educational support, preferment in public sector employment, and other usually arts-based scholarships. The basic question Bolt was asking was whether race or need should be the criterion for special assistance.

Bolt was sued under Section 18C by the people he named in his articles who said they felt offended, insulted and humiliated on the basis of their race. Was there more to this than the hurt feelings of these people? Was there a political agenda, designed to shut down debate about this subject, behind the decision to target Bolt for prosecution?

The reason I believe there was a political agenda is because of the role Andrew Bolt had played in the evolution of indigenous policy more than a decade ago. Lowitja O'Donoghue was the former head of the Aboriginal and Torres Strait Islander Commission (ATSIC)—the then peak indigenous organisation

in Australia—and had claimed to be a member of the “stolen generation”. Andrew Bolt was the journalist who wrote the story that uncovered and forced O’Donoghue to admit that she had not been stolen by the authorities, but had been placed in a mission school by her father.

This was a pivotal moment in the history of indigenous affairs. The discrediting of the most prominent and respected indigenous leaders in the country helped set in train the series of events that eventually led the Howard government to abolish ATSIC. This marked a shift away from the separatist policies that had dominated indigenous affairs since the 1970s and towards the policies of mainstreaming Aboriginal communities, with a view towards full engagement with educational and employment opportunities—a policy shift most definitely signalled by the Howard government’s Northern Territory Emergency Intervention in 2007.

Andrew Bolt undoubtedly played an important part in setting the stage for the Howard government’s indigenous policy revolution, which overturned the progressive consensus in place since the 1970s. I do not think it is a coincidence, therefore, that a successful lawfare campaign was waged to silence Bolt and shut down discussion of Aboriginal identity and entitlement before it could get started.

This is a very dangerous strategy. According to the Australian census, increasing numbers of Australians are identifying as indigenous. I have been surprised in the last couple of months by people who can by no means be considered political animals, who have raised in conversation the topic of (to use their words) “white” people claiming Aboriginal identity to qualify for the associated benefits. Shutting down discussion of Aboriginal identity and entitlements (and, by extension of the Bolt case, labelling those who raise the subject as racists) has the potential to build community resentment. Suppressing debate could set the stage for the issue flaring into prominence in nasty and divisive ways, and in a similar fashion to the Hanson phenomenon. We should fear that the issue might explode if the proposal to hold a referendum to amend the Constitution to recognise Aboriginal Australians in the preamble is proceeded with, because the referendum campaign will concentrate the public mind on the question of who is an Aborigine and what benefits Aboriginality ought to entitle people to receive and why.

This is the reason hate speech laws that suppress legitimate debate and dissent are inherently bad for our society and for democracy. The only way democratic institutions acquire legitimacy is by channelling the mind of the public. The public mind is formed by free discussion of issues, as different interests compete to shape and define its collective meaning through the political process. Laws restricting free speech are therefore the antithesis of democracy, and they represent the end of politics in a free society. Restricting political debate is, remember, the objective of those who support laws like Section 18C. Section 18C should therefore be repealed because it is the means by which the progressive consensus that certain subjects should not be open for discussion becomes a political muzzle on those who wish to dissent.

FREE TO THINK BUT NOT SPEAK:

ABORIGINAL SEPARATISM AND CHILD PROTECTION

My thoughts on the subject of Section 18C have been deepened through experience, I’ve come to appreciate my job as a think-tanker, and the role organisations such as the CIS play in a democracy by helping shape the public mind on topics of national interest.

The great advantage of the CIS is that we are not part of a university and not dependent on government, as we receive no public funding. We are free and independent to be the great dissenter from the progressive consensus (and people are free to support us if they like what we say and do). But in the wake of the Bolt case, I wonder how free I actually am to do my job in the way I would like to do it.

I have been writing about child protection for the last six years. I argue that we need to make greater use of adoption to protect children. This is very controversial in the age of the national apologies for forced adoption and the stolen

generations. It is fair to say that I have achieved some influence in this policy area. The New South Wales government’s recent child protection reform legislation, which aims to increase the number of children who are adopted from foster care, reflects the recommendations contained in my work.

The New South Wales adoption laws, however, make an exception for Aboriginal children—no Aboriginal child in New South Wales will be adopted for their own protection under the new legislation. This is largely due to the legacy of the “stolen generation”. This is understandable, given the sensitivities concerning removal of Aboriginal children from their families, but it is a question that deserves further analysis.

Aboriginal children are over-represented in the child protection system. Current practice is that children who need to be removed from their families are placed according to the Aboriginal Placement Principle—they are placed with a relative, with a member of their community, or with another Aboriginal carer. All these options go under the name of kinship care.

The logic is that kinship care, in theory, ensures Aboriginal children retain their Aboriginal identity by having contact with Aboriginal culture. However, we know little about kinship care—there is little research especially on the outcomes for children—and what we do know is that kinship care is not assessed and supported as well as foster care is. There are anecdotal and some official reports that kinship care leads to Aboriginal children being removed from dysfunctional families only to be placed in other dysfunctional families in the same communities.

The Aboriginal Placement Principle is a legacy not only of the “stolen generation”, but of the separatist agenda that dominated indigenous policy for so long. We ought to question this policy, particularly when Aboriginality—the right to identify and receive entitlements—is no longer based on continuous contact with Aboriginal culture. This was one of the key points made by those who were offended by Andrew Bolt’s articles, who argued that Aboriginal identity did not depend on contact with culture necessarily, or on being culturally Aboriginal in the traditional sense. It is therefore legitimate to question why we are sticking with a child protection policy predicated on the idea that Aboriginal children must have contact with culture via kinship care in order to retain their Aboriginal identity.

I am keen to research and publish on this topic. But I am uncertain about what can and can’t be said in the wake of the Bolt case: is the subject now legally taboo, and is it worth the trouble of running the potential legal gauntlet at the risk that someone might take offence? This is what critics of laws restricting free speech mean when they talk about the “silencing effect” of these laws. Considerations include the reputational risk of being branded a “racist” and the mud sticking no matter the final result in court. As the indigenous health researcher Dr Anthony Dillon recently wrote in the *Australian*, as a part-Aboriginal man he was unlikely to be sued for saying politically incorrect things about Aboriginal identity; however, a non-Aboriginal person expressing exactly the same views would be “highly likely” to face claims of racial hatred and be sued by an offended individual or group of individuals following the Andrew Bolt precedent.

ISLAMISM AND AUSTRALIA: THREE CONCERNS ABOUT MULTICULTURALISM

There is also the potential for hate speech laws to inhibit discussion of controversial issues related to multiculturalism.

The major concerns about multiculturalism tend to fall under three major headings. They are that multiculturalism is potentially divisive because it risks (1) importing foreign conflicts into Australia; (2) sectional interests subverting national policy; and (3) exemptions from the rule of law. There is a need to discuss these concerns about the course of multiculturalism in Australia right now.

In 2012, the nation witnessed the Sydney protest-cum-riot in Hyde Park, which was led by Islamic organisations and sparked by an anti-Islamic film in the United States that had allegedly led to the sack of the American consulate in Benghazi

and the murder of the US Ambassador. This fulfils concern number one.

In his memoirs released earlier this year, former Foreign Minister Bob Carr explained that the former Prime Minister Julia Gillard was defeated in cabinet in 2012, and Australia abstained on the vote in the United Nations General Assembly, on the recognition of Palestine's observer status at the UN, based on electoral concerns that the Labor Party would otherwise lose support among Muslim voters in key Labor seats in south-western Sydney. The cabinet decision overturned decades of bipartisan support for Israel. This fulfils concern number two.

In May this year, the ABC reported that Muslim community leaders had held a closed meeting with the New South Wales Deputy Police Commissioner Nick Kaldas, and had asked him not to enforce laws that prohibit Australian nationals from fighting in foreign conflicts, and not prosecute Muslims who leave Australia to fight in the civil war in Syria. Kaldas is expected to become the next New South Wales Police Commissioner. This fulfils concern number three.

CONCLUSION:

THE DEMOCRATIC DEFICIT OF LAWFARE

But is it permissible to discuss these issues under the RDA? In 1998, Tom Switzer, former opinion page editor at the *Australian* and current editor of *Spectator Australia*, was

sued under the New South Wales Anti-Discrimination Act for racial vilification. His offence was to pen a newspaper column on the Israel-Palestine peace process which was critical of the Palestinians. This complaint was initially upheld, but was overturned on appeal. But the need to spend years in court and thousands of dollars on lawyers to exercise your right to free speech has a "demonstration effect" on others. Rather than court controversy, risk being labelled racist and face legal action, maybe it's easier (and cheaper) to be silent.

This is the problem with Section 18C and why it should be abolished: the process is the punishment and politically-motivated lawfare makes the price of free speech far too high. I clearly have a professional stake in ensuring hate speech laws do not give rise to a democratic deficit in Australia—"no go" topics unfit for adults to debate in public. But the rights of every Australian citizen are at stake. The so-called right of others not to be offended restricts our democratic right to fully and freely discuss subjects of national importance.

Dr Jeremy Sammut is a research fellow at the Centre for Independent Studies. This is a revised version of a speech he gave at Warrane College at the University of New South Wales in May

<https://quadrant.org.au/magazine/2014/0708/progressive-muzzling-right-dissent/>

SA parliamentarians join fight against anti-Semitism

July 8, 2014 by J-Wire Staff

A private members motion urging South Australian parliamentarians to join a global movement against anti-Semitism has been passed unanimously.

The motion urges State members of parliament to sign the London Declaration on Combating Antisemitism, a document that boasts MPs across the globe as signatories.



Norman Schueler pic: Henry Benjamin

President of the Jewish Community Council of South Australia Mr Norman Schueler believes that our society must remain vigilant against hate crimes.

"We must never think that the crimes committed against the Jewish people in other states will not be visited upon our shores," Mr Schueler said.

"We need the collective will of our elected leaders to stand up to anti-Semitism and to defend the basic rights of the Jewish people."

The motion is co-sponsored by MPs from both the Liberal and Labor party.

"I'm very pleased that this bipartisan initiative gained the support of the House. It is critical that MPs and other community leaders use their positions to progress the fight against anti-Semitism and discrimination in all forms," noted Liberal co-sponsor, John Gardner said.

As the Labor co-sponsor for the motion, Leesa Vlahos believes that Australia is not immune to vicious hate crimes.

"Only last October in Bondi, a Jewish family walking home from a Sabbath dinner were assaulted by eight young males," Mrs Vlahos said.

"Anti-Semitism did not end at the conclusion of the Second World War. It is as real today – as it was 70

years ago, in the dreadful gas chambers of the Holocaust."

A signing ceremony will be held in the South Australian Parliament in coming weeks.

Read the full Hansard report here..

<http://www.iwire.com.au/news/saparliamentarians-join-fight-against-anti-semitism/44040>

Islamophobia Watch

Documenting anti-Muslim bigotry

[sharia unveiled](#) illuminating minds



Posted by [sharia unveiled](#) on [October 26, 2013](#)

Geller and Spencer invent lying story about 'Muslim mob' attacking Jewish family in Sydney

Posted on [October 30, 2013](#) by [Bob Pitt](#)

Both Garibaldi of [LoonWatch](#) and Sheila Musaji at [The American Muslim](#) have taken up a disgraceful story, "Australia: Muslim mob severely injures five Jews in an unprovoked anti-Semitic attack", that was posted by Robert Spencer at [Jihad Watch](#) and then crossposted by Pamela Geller at [Atlas Shrugs](#). Spencer and Geller reproduced an article from the [Sydney Morning Herald](#) headlined "Five people hospitalised after brawl in Bondi", which reported the shocking story of an apparently racist attack on a Jewish family near Sydney's Bondi Beach.

Robert Spencer commented:

True to form, the mainstream media doesn't mention the identity of the perpetrators, but that in itself is a clue as to who they were: if the attackers had been neo-Nazis, the Herald would have had no trouble saying that. Only when it comes to Muslims do "brawls" and "bombings" and "violence" just happen by themselves, with no clear perp. Also, the mention of the facts that the attack was "racially motivated" and in a "multicultural area" makes clear the identity of these "youths" (a common mainstream media term for violent young Muslims in any case).

Over at Atlas Shrugs, Geller added: "Wherever Muslim immigration increases, so do attacks on Jews. Everywhere. Islamic antisemitism – it's in the quran."

Neither Spencer nor Geller produced any evidence whatsoever to back up the claim that the perpetrators of the attack were Muslims. And, not entirely surprisingly, it soon turned out they weren't. According to [The Australian](#), "a group of eight mainly Pacific Islander youths" have been arrested in connection with the assault, and the paper reports senior police as saying that "those allegedly involved in the attack had no connection to Islam".

Spencer and Geller still haven't withdrawn the story. The most they were prepared to do was add the following clarification: "Amid ongoing and suspicious mystery about the identities of the attackers, [this story in Israel Hayom](#) says that they were

not Muslims. Apparently media fastidiousness about identifying perpetrators from groups that enjoy politically correct victim status is now extending to other groups as well."

As Sheila Musaji observes: "This update makes no sense. It is not an apology, it is not even an acknowledgement that they got their facts wrong. You have to wonder how it is possible that even after Geller & Spencer have been caught spreading so many false stories, there is anyone at all who takes them seriously."

<http://shariaunveiled.wordpress.com/2013/10/26/gang-of-8-muslims-ferociously-attack-and-beat-an-elderly-jewish-family-walking-home-from-synagogue/>

Committee, Schulz furious

[James Crisp](#), Published: 07/07/2014 - 17:17 | Updated: 07/07/2014 - 18:53



Nazi MEP Udo Voigt, who today took a seat on the European Parliament's Civil Liberties, Justice and Home Affairs Committee. Marek Peters/Wikimedia

European Parliament President Martin Schulz, anti-racism campaigners and Jewish organisations are outraged that a neo-Nazi MEP has taken a seat on the Parliament's Civil Liberties, Justice and Home Affairs Committee.

Udo Voigt, the former leader of the Nationaldemokratische Partei Deutschlands (NPD), has praised Adolf Hitler, was convicted for glorifying the Waffen SS, and infamously claimed "no more than 340,000 Jews" had died in the Holocaust. Historians agree that the total number of Jews exterminated under Hitler was about six million.

Germany's first far right MEP led the NPD from 1996 to 2011. German intelligence classifies the organisation as a far right extremist party. There was a failed attempt to ban the party in 2003. Another attempt, arguing its ideology is identical to Hitler's, is currently in the German courts.

Parliament President Martin Schulz, a member of Germany's Socialist Democratic Party, said, "Everyone who denies the Holocaust and who is against human dignity, democracy and plurality will encounter the strongest of resistance from me."

"The European Parliament is the place where the representatives of the European people work hard to ensure a good and peaceful future for us on our continent. There is no place for racists and anti-Semites in this house."

The Parliament's Civil Liberties, Justice and Home Affairs Committee is responsible for the protection of citizens' rights, human rights, and measures to combat discrimination.

EurActiv asked newly-appointed committee chairman Claude Moraes, a British Indian Labour MEP, for his reaction. He was selected today (7 July) and his response will be published once it is received.

MEPs who, like Voigt, are unattached to any political group are allocated a set number of committee seats to be divided among all independent politicians. Voigt, a son of a former Wehrmacht officer, who planned to nominate Hitler's deputy

Rudolf Hess as a candidate for the Nobel Peace Prize, did not respond to a request for comment.

European Jewish Congress

A spokesman for the European Jewish Congress said, "It does the European Parliament no credit to have people sitting on its civil liberties committee who have obviously not only shown no commitment to civil liberties, but have sought to undermine them and to purvey a racist and intolerant agenda throughout their political career."

"We call upon members of the civil liberties committee, and indeed all parliamentary groups within the European Parliament, to ensure that Mr Voigt does not get the publicity for his repugnant views that he so clearly seeks at every opportunity."

Michael Privot, director of the European Network Against Racism, told EurActiv, "We are deeply concerned that an MEP from the German neo-Nazi party NPD, but also a small number of other MEPs propagating xenophobic or racist ideas, laws and policies, will be sitting on the civil liberties committee, taking decisions on the fundamental rights of people living in Europe."

"We hope they will not disrupt and filibuster the work of the committee, and trust that progressive MEPs, including the newly elected Chair Claude Moraes, will ensure that this will not happen."

The European Conservatives and Reformists Group said it was regrettable that Voigt had been elected at all.

The spokesman for Nigel Farage's Europe of Freedom and Direct Democracy group said, "In a political culture which rejects direct democracy and national self-determination, frustrated people get funnelled towards supporting extremist parties like the NPD."

"It's very worrying that a rational human being with any knowledge of history would advocate the views of Mr Voigt. Hitler and Nazism were evil in their rejection of natural law, human rights and in their desire for a United European empire. Hitler and his supporters are dangerous people indeed."

The NPD gained 1% of Germany's vote in the European elections, 0.3% less than at the general election.

<http://www.euractiv.com/sections/euelections2014/nazi-takes-seat-parliament-civil-liberties-committee-schulz-furious>

Jews blast inclusion of Neo-Nazi on EU Civil Liberties c'tee

By [SAM SOKOL](#), 07/08/2014 21:45

Jews worldwide express indignation at appointment of German Neo-Nazi Udo Voigt to panel.

Jews worldwide have expressed indignation at Monday's appointment of German Neo-Nazi Udo Voigt to the European Parliament's Civil Liberties, Justice and Home Affairs Committee. Voigt is the former head of the Nationaldemokratische Partei Deutschlands (NDP) party, which

has claimed that "no more than 340,000 Jews" died in the Holocaust.

While "Voigt's membership in the Civil Liberties, Justice and Home Affairs Committee of the European Parliament may have been awarded to the leader of the German Neo-Nazi party NPD in accordance with parliamentary procedure," it still "makes a mockery of everything all democratic forces hold dear," Stephan Kramer, immediate past secretary-general of the German Zentralrat Der Juden told *The Jerusalem Post*.

"A person whose ideology is racism, xenophobia, Islamophobia and anti-Semitism, a dyed-in-the-wool enemy of democracy and freedom simply should not hold a seat on this committee – as he should not be a member of a democratic parliament at all," Kramer continued, calling for a minimum "threshold percentage for parties entering the European Parliament."

Following the announcement of the appointment, World Jewish Congress CEO Robert Singer urged the European Union to make "the necessary statutory changes" to prevent a such an event from recurring, adding his voice to the call for a minimum electoral threshold, "That a neo-Nazi Holocaust denier like Voigt could join the Parliament's Civil Liberties, Justice and Home Affairs Committee, which is responsible for the protection of citizens' rights, human rights, and measures to combat discrimination, is not only a travesty of justice, but

an insult to the memory of all the victims of the Holocaust," a spokesman for the Israeli Jewish Congress stated.

Israel's Yad Vashem Holocaust Memorial museum likewise objected, asserting that someone who espouses a Nazi ideology and has professed admiration for Adolf Hitler "has no place on a committee committed to civil rights, neither in the European Parliament nor anywhere else."

Such a step, said the Simon Wiesenthal Center's senior Nazi hunter Efraim Zuroff, is comparable to "appointing a Ku Klux Klan Dragon to a committee to ensure the civil liberties of Afro-Americans."

"One would imagine that Voigt's public statements in praise of Hitler and the Waffen-SS and his denial of the Shoa would have been sufficient to bar his entry to a committee whose primary purpose is the defense of justice and civil rights, but obviously that is not the case in contemporary Europe."

Dr. Moshe Kantor, president of the European Jewish Congress, said that the appointment was the result of Europe's failure to listen to Jewish entreaties to ban the NDP. "We now see the results affecting the whole of Europe by this refusal to take action against hate, racist incitement and Holocaust denial," he said.

<http://www.ipost.com/Jewish-World/Jewish-News/Jews-blast-inclusion-of-Neo-Nazi-on-EU-Civil-Liberties-ctee-361992>



ABC Radio National

Law Report – Many victims, one trial

[Listen now](#), [Download audio](#), Tuesday 8 July 2014 5:40PM

In the recent Rolf Harris trial, a court in London sentenced the entertainer to five years and nine months jail after a jury had found him guilty of twelve charges of indecently assaulting four girls (now women) in the UK between 1968 and 1986.

The allegations at trial centred on four complainants, but another six women gave supporting evidence that Harris abused them in Australia, New Zealand and Malta between 1969 and 1991.

And the recent case of Robert Hughes, former actor in the *Hey Dad..!* trial, also involved charges involving four victims, but also heard evidence from other 'tendency' witnesses. What does it mean to use 'tendency evidence' and can it be used in all jurisdictions?

Transcript

Newsreader: Sentencing Harris, Mr Justice Sweeney told him he took advantage of the trust placed on him because of his celebrity status. He told him, 'You have shown no remorse at all for your crimes. Your reputation now lies in ruins. You have no one to blame but yourself.' Rolf Harris took off his glasses and was taken down to the cells.

Damien Carrick: As you're no doubt aware last Friday a judge in London sentenced iconic entertainer Rolf Harris to jail for five years and nine months. The week before he'd been found guilty of 12 charges of indecently assaulting four girls in the UK between the years 1968 and 1986. The trial also heard evidence from a number of other women in addition to the four complainants who also told of assaults by Rolf Harris. Their evidence was included by the prosecution because it sought to establish a pattern by Rolf Harris to offend in a certain way against a specific type of victim. It's quite likely that this evidence would not have been admissible had the trial taken place in certain parts of Australia, and it's also likely that there would have been four separate trials involving Harris—one for each complainant.

The same also applies to a recent New South Wales trial of the *Hey Dad..!* TV actor Robert Hughes. It involved charges... It also involved charges relating to four victims and also

tendency evidence from a number of other women. Associate Professor David Hamer from The University of Sydney is an expert in the law of evidence, and he's currently in London where the sentencing of Rolf Harris is still big news.

David Hamer: Well, it's still a very big story; there's a great deal of attention being given to the sentence, a lot of discussion about whether the sentence was sufficiently heavy, there's talk of the prosecution appealing and trying to get a heavier sentence, talk of civil actions. So yes, it's right across all the papers still.

Damien Carrick: And people are still coming forward, certainly in this country, and that's certainly making the media over in the UK as well?

David Hamer: That's right, yes, yes, very much so. So it's still a major story. And there were other charges which the prosecution was considering—child pornography charges—but it's decided not to go ahead with those in view of these convictions.

Damien Carrick: How many complainants were there in the criminal trial?

David Hamer: There were four complainants, then another seven witnesses saying that they'd been victims of similar kind of conduct by Rolf Harris.

Damien Carrick: So, what's the logic of hearing the criminal charges relating to assaults against four women together? What's the logic in hearing those charges together?

David Hamer: Well, it's very difficult for the prosecution to bring these kinds of charges, because there's often been a long delay. In this case the actual offences were committed from 1968 through to 1986, so all of the offences were quite old. Now, that means that it's very difficult for the police to gather evidence and for the prosecution to put a case together, because there's clearly no forensic evidence or medical evidence and the defendant denies it, and all that the court hears is the allegations from the complainants on the one side and the denials by the defendant on the other side. And with the requirements of proof beyond reasonable doubt, it's very difficult for the prosecution to get a conviction. So the

prosecution's looking for other evidence to bolster its case, and one very valuable source of other evidence is the other allegations of other victims.

Damien Carrick: How common is it for charges involving one accused against a number of victims, how common is it for it to be rolled into one trial?

David Hamer: Well, the prosecution would like to do it wherever it can, but there are legal obstacles. There's exclusionary rules, which prevents evidence of other misconduct—bad character evidence, propensity evidence—there's an exclusion which prevents that evidence from coming in, and for it to get in the prosecution has to satisfy a special admissibility test.

Damien Carrick: And what sorts of crimes does this normally take place in?

David Hamer: Well, it's very often sexual assaults. I guess it's the nature of the offence that there often are more than one victim, but it can be in quite a range of offences. You know, from insider trading to burglary, even, you know, running an unauthorised taxicab. It's always possible for the prosecution to try and run this kind of case.

Damien Carrick: Now, coming back to that second limb of what you were talking about earlier, we have four complainants, charges heard against Rolf Harris relating to four victims. But the jury also heard evidence from a number of women who were not complainants in the sense that Rolf Harris was not standing trial for crimes against these witnesses. I think of another six or so women gave supporting evidence.

David Hamer: Yes, that's right.

Damien Carrick: Why were charges not brought against Harris for the actions against those women?

David Hamer: I think in this particular case it was because the offences were committed outside of the UK, and so they were simply outside of jurisdiction. In other cases it may be that the prosecution doesn't think it's got enough evidence in respect to those other allegations, and yet perhaps they can still add something to the prosecution case.

Damien Carrick: So in this case though those victims were probably...Harris had contact with those victims when they were, say, in Australia and New Zealand, that's my understanding.

David Hamer: That's right, yes, so one of them I think was a makeup artist for Channel 7, and that took place in Australia.

Damien Carrick: And again, what's the rationale for hearing that kind of evidence, that kind of tendency evidence from people who are not complainants?

David Hamer: The logic of it that the prosecution relies upon is the improbability of similar lies, because the defendant is saying, yes, this allegation's been made, but there's no truth to it; it's been made up. And the prosecution can respond and say, well, you say that this woman's telling a lie, but it isn't just her that's making this claim; these other women have also come forward, and they're telling a very similar lie. Perhaps it's plausible that one woman might come forward and make up an allegation like this, but it would just be too much of a coincidence for so many different women to come forward telling such a similar lie; it's just too much of a coincidence, and if you reject the possibility of coincidence then you're left with two alternatives: one is that the alleged victims put their heads together and jointly concocted a false story, and that wasn't suggested here. So if you include coincidence and you exclude the possibility of joint concoction then you're left with the remaining possibility, which is that, well actually it isn't a lie; all the women are telling the truth. And that's why they're telling a similar story, because they're all talking about this propensity that the defendant has to commit this kind of offence.

Damien Carrick: Presumably, though, defence lawyers would have grave concerns about this kind of evidence, because they'd say, you're not there to be charged to be charged for what other people say about you. There should only be evidence relating to the charges being heard against you.

David Hamer: That's right. The evidence of the other alleged victims is evidence that the defendant committed the charge in question. It is relevant; this logic of the improbability of similar lies, that is valid logic, but there's concern that it would prejudice the jury. You know, for the jury to hear that the defendant has committed other misconduct, you know, they may form a poor view of the defendant's character, and they may be less likely to give the defendant the benefit of a reasonable doubt. That's known as a moral prejudice, where the jury makes a moral judgment of the defendant and is more likely to convict because of that moral judgment. There's also something known as reasoning prejudice, which is the notion that the jury is too ready to see significance in a pattern, too ready to say, oh, well, these women have come forward, they must all be telling the truth. So there's those two kinds of prejudice, and that's the basis for the exclusionary rule, in fact.

Damien Carrick: Now, is the law around the use of tendency evidence the same across all jurisdictions and is it similar in the UK? I mean, are we all talking about the same sort of rule applying?

David Hamer: The rule has been modified by legislation in most jurisdictions now and the legislation has departed from the common law—so it was a common law exclusionary rule—legislation has departed to different degrees. The UK has opened up admissibility to the greatest extent; they've all but abolished the exclusionary rule. So bad character evidence is excluded, but the prosecution just has to fit it within a gateway and then it comes in. And one of those gateways is that the evidence shows that the defendant has a propensity to commit this kind of offence, and that's a very open admissibility gateway. In Australia, at common law, the exclusionary rule operates very, very strictly.

Damien Carrick: Here in Australia you've got the common law, and you've also got some states where this sort of issue is governed by legislation. What's the breakdown between the states and territories in that regard?

David Hamer: There's quite a few different pieces of legislation. Nowadays Victoria and New South Wales, the ACT and the Northern Territory and Tasmania, they're governed by the Uniform Evidence Law. So they've got pretty much the same legislation, even though it's state legislation. South Australia and WA have their own different pieces of legislation, which have also opened up admissibility of this kind of evidence. So I think it may just be Queensland. I mean, there's some legislative modification in Queensland too, but largely Queensland's governed by the common law still.

Damien Carrick: Interesting you mentioned Queensland, because of course the big case in this area, the big Australian decision in this area relates to a Queensland offender named Daniel Phillips. Remind us, who is Daniel Phillips? It's an extraordinary tale.

David Hamer: Yes, that's right. Daniel Phillips was charged with a series of acquaintance rapes. The case reached the High Court in 2007.

Damien Carrick: He was charged with date rapes, essentially, wasn't he?

David Hamer: Yes, date rapes. So, six complainants came forward and each of them told quite a similar story. They said that they were within Daniel's circle of acquaintances. They were all of a similar age, kind of late teens, they met Daniel at a party; you know, there was consumption of alcohol and marijuana. Daniel engineered an opportunity to be alone with the women, he then propositioned them. When they didn't show any inclination to, you know, to gratify his sexual desires then he used threats and force and had sex with them anyway, according to their stories. And another common feature was that on each occasion there were other people quite nearby, so there was a reckless element; if the women had called out then somebody could've come across them.

Damien Carrick: And those six women, their complaints, those rape charges, were all heard in the one trial, weren't they?

David Hamer: The defendant objected to the different counts being heard together on the basis that evidence of other complainants wouldn't be admissible in respect of a certain complainant, and that therefore the counts should be severed, there should be separate trials. But the trial judge held that the evidence was cross-admissible, heard all the cases together and Phillips was convicted on most but not all of the charges. The defendant appealed, the Queensland Court of Appeal rejected the appeal and held, yes, the evidence was cross-admissible, and upheld the convictions. And then Phillips appealed to the High Court and was successful in the High Court; the High Court held it wasn't cross-admissible.

Damien Carrick: What was the reasoning of the High Court? Why did they feel that these allegations should not be heard together in the one trial?

David Hamer: Well, the High Court applied a very strict exclusionary rule; the High Court said that the similarities relied upon by the trial judge as giving the evidence strong probative value...I mean, the trial judge's reasoning was that these stories are so similar, it's just implausible that all of these women are telling such a similar lie. But the High Court said, well, in reality the similarities relied upon are not nearly, not strikingly similar—that's the expression that's often used—they're entirely unremarkable. So according to the High Court, the stories were, you know, weren't unusually similar; they weren't distinctive stories.

Damien Carrick: And what ultimately happened to Daniel Phillips?

David Hamer: So he was then released on bail pending retrial, but while on bail he actually then committed another sexual assault, and he was pretty much caught red-handed on this occasion and pleaded guilty to that sexual assault. Of the original complainants, only two complainants were prepared to face a retrial, because it is quite an ordeal, of course, for a victim to go through cross-examination and so on. From those two complainants one of the trials ended up with a hung jury and the other did end up in a conviction. So even without the evidence of the other complainants there was one conviction.

Damien Carrick: An extraordinary tale, an extraordinary legal saga that went on for many years.

David Hamer: Yes.

Damien Carrick: Can I ask, would these rape charges from multiple complainants be able to have been heard together in those other jurisdictions that you're talking about, pretty much everywhere except Queensland?

David Hamer: It's difficult to say; the law is a bit unsettled. I mean, what is clear is that the High Court applies the strictest exclusionary rule, and it is clear that the state legislatures have relaxed the exclusionary rule. So it is easier to get the evidence in. But even within the Uniform Evidence Law jurisdiction, so New South Wales and Victoria for example, there's a bit of a tussle going on where New South Wales is more open to this evidence coming in, whereas Victoria is holding a steadier line and demanding more in terms of the similarities or underlying uniformity to the stories or the evidence, the other alleged misconduct. There's a bit of uncertainty there.

Damien Carrick: And do you think that the allegations from multiple women would've been heard together in a UK court?

David Hamer: Very easily in a UK court, and I think the Phillips case, I think chances are both a New South Wales court and a Victoria court would be happy for that evidence to be cross-admissible and hear those matters together, because there were quite a few similarities there.

Damien Carrick: Very interesting. Now, of course, we've also had the Robert Hughes trial. We've been speaking about Rolf Harris, of the recent trial of another TV celebrity from years past. What was that case about, Australian TV actor Robert Hughes?

David Hamer: Well, that was another case where a number of women came forward after a delay, making similar allegations that the defendant, Robert Hughes in this case, had indecently assaulted them at an earlier point.

Newsreader: In the end the jury of six men and six women found Robert Hughes guilty of ten of the eleven charges, including Sarah Monahan's. Throughout the trial he'd shown little emotion, but right at the end when the verdicts were being read out, he started to cry and he yelled out to the jury, 'I am innocent.' He's shown no remorse and taken no responsibility for his horrendous crimes. But tonight he's behind bars awaiting sentencing.

Damien Carrick: And on May 16 he was sent to jail for a minimum of six years, maximum of ten years, and as I understand it the charges related to four then-girls, now women. And there was also tendency evidence from another, I think, up to eight witnesses in that trial.

David Hamer: Yes, I believe that's correct.

Damien Carrick: David Hamer, what do you think? If the lawyers for Robert Hughes decide to take it on appeal, would they likely succeed?

David Hamer: I don't think they'd succeed in the New South Wales Court of Criminal Appeal, but who knows, if they take it to the High Court perhaps they would, because the law in this area is a bit unsettled; while the New South Wales courts have opened up the admissibility of this kind of evidence, the Victorian courts appear to be adopting a stricter approach, and I don't think the evidence in the Robert Hughes case would've been viewed as cross-admissible in the Victorian courts. They may have said, for example, look at the dissimilarities between the stories told by the different complainants. There's a range of ages between seven and fifteen I think was the range of ages of the complainants. There's quite a number of different types of conduct between, you know, the defendant exposing himself, the defendant getting one of the complainants to, while swimming, to swim between his legs with his swimmers pulled down and all the way up to actually having sex with the complainants. So there's dissimilarities there too, and a Victorian court might say, well, the stories just aren't sufficiently similar; the evidence doesn't have sufficient probative value to gain admission, it isn't so improbable that all the different complainants are lying, because you don't have any signature, you don't have any distinctive *modus operandi* that they're describing, which would make it improbable that they were lying.

Damien Carrick: David Hamer, what you're telling me is very interesting. You're saying that even though there is uniform rules of evidence laws or acts in both New South Wales and Victoria, the courts have essentially approached exactly the same words in different ways, and that then leaves it open for the High Court, when it's sort of looking at how to interpret this stuff, it will look at these inconsistencies and perhaps find fault with the New South Wales approach as opposed to the Victorian one.

David Hamer: Possibly. I think it's difficult to say which way the High Court would go, whether it would prefer the slightly more stringent approach of Victoria or the more open approach. I think the trend, though, and England is part of this trend, the trend is towards greater admissibility. You know, opening up admissibility. Because, as I mentioned at the outset, these cases could be very difficult to prosecute if you keep this evidence out. So Rolf Harris, for example, that prosecution, had these offences taken place in Victoria, that prosecution may not have gone ahead at all, or if it did go ahead it may have been separate trials for each complainant and it would've been very difficult for the prosecution to get convictions.

Damien Carrick: And you've got Victoria, you've got New South Wales, you've got UK at one end of the spectrum, you've got New South Wales in line along the spectrum, then you've got Victoria, then at the far end of the spectrum you've got Queensland, where you've got the Daniel Phillips situation. I am wondering, civil libertarians, defence lawyers, presumably they would have grave concerns about what they would see as slippage away from Queensland all the way down towards the UK, and they would see the UK downhill, if you like, from the Queensland situation.

David Hamer: Yes, they... I think they may do. I mean, it's difficult to say. I mean, the underlying concern here is that a jury would give too much weight to the evidence and convict innocent defendants. So it's that, you know, basic fundamental concern about avoiding wrongful convictions and ensuring the defendant gets a fair trial. But, you know, I think this evidence does have probative value, I think the High Court in cases like Phillips' has underestimated the probative value of this kind of evidence, and I think it's inappropriate for this evidence to be subject to such a strict exclusion, because, you know, as we know, unfortunately child sexual assault is quite a common offence, and on the High Court's approach it's an offence which is very difficult to prosecute. And so I think having regard to the prevalence of this very serious offence and the need for the laws to be enforced more effectively, I think we don't want to apply such a strict exclusion unless it's absolutely necessary. And I don't think it is necessary; I think this kind of evidence does have genuine probative value even if the different complainants aren't telling an identical story,

even if they aren't, you know, explaining how the defendant committed an offence with a signature. I think the evidence can still be highly probative and should be permitted.

Damien Carrick: I understand in the Robert Hughes case that the signature was he liked to expose himself, that tended to be part of the pattern.

David Hamer: You can imagine the Victorian court or the High Court saying, well, that's a fairly commonplace, you know, it's not unusual with this kind of offence.

Damien Carrick: Associate Professor David Hamer from The University of Sydney, who's currently in London. That's the program for this week, thanks to producer Anita Barraud and also to audio engineer John Jacobs. Coming up right after the news is *RN Drive* with Waleed Aly.

Guests David Hamer [Associate Professor, University of Sydney Law School](#)

Credits: Presenter - Damien Carrick; Producer - Anita Barraud



Dr Fredrick Töben's 2007 Speech at the [No More Wars For Israel Conference](#) in California ... and nothing has changed except it's getting worse for the Palestinians with a full-blown extermination war raging against them – 10 July 2014. Israeli justification for this ethnic cleansing rests on HOLOCAUST-SHOAH!

Let's stop with the Auschwitz lies



This was a work camp – not an extermination camp

This is a factual list of facilities available to prisoners at the alleged Nazi death camp of Auschwitz in Poland.

Most of these facilities can still be seen in the camp today, including the cinema, swimming pool, hospital, library and post office.

Visits were routine



Supposedly the most dreaded of German camps, Auschwitz was repeatedly visited by Red Cross inspection teams who were allowed to speak to prisoner representatives alone, in order to hear first-hand of any mistreatment, chicanery, interruption of mail and parcel delivery, health concerns, food and ration matters etc.

No such visits took place - ever! - to Soviet Gulag camps

Auschwitz, the supposed "death camp", had many facilities amongst which were:

*** Camp dental facilities** attended by camp inmate dentists and nurses to deal with the inmates' dental



problems - before the war there 43% of Germany's dentists were Jewish -



Camp nurses



Hospital

Camp sick barracks, attended by camp inmate doctors and nurses to deal with the inmates' health problems - much like the now common walk-in clinics in modern US communities - **A camp hospital** to which expert surgeons even from the famous Berlin "Charité" Surgical Clinic were dispatched to deal with difficult cases -

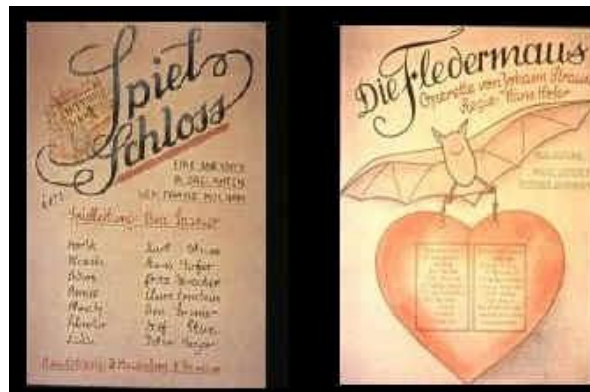


Camp kitchen -one of the largest service buildings in Auschwitz, with state-of-the-art cooking facilities. There were twelve of these throughout the camp.



Dr. Carl Clauberg, famous Berlin surgeon who handled difficult cases.

* The caloric content of the diet was carefully monitored by camp and Red Cross delegates. It only deteriorated in Auschwitz and other camps towards the end of the war when German railroads and the entire transport system collapsed under constant aerial attacks -



A camp theater where live plays could be performed by camp inmate actors -

Camp sculpture class conducted for interested, talented inmates by professional sculptors.

Camp art classes for inmates

Camp university with lectures on every topic under the sun, from health, the arts, philosophy, science, economic issues etc.

A camp cinema - where every week different, mainly cultural and non-political films were shown -

[You must watch this 2 min video](#)



Up to 16 camp orchestras with every conceivable instrument available -



The camp brothel, just inside the main gate was a building used during the war as a brothel for the inmates. It was not a secret that the camp had a brothel; it was mentioned in books and its existence was confirmed by the Auschwitz Museum officials.

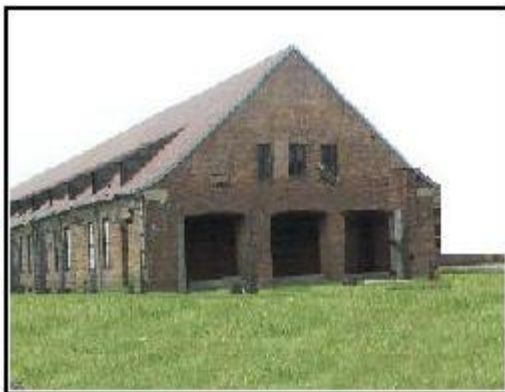
It was established in the summer of 1943 on Himmler's order, was located in [block 24](#) and was used to reward privileged prisoners.



Block 24



A [camp library](#) where inmates could borrow books from Forty -five thousand volumes available - Camp religious facilities made available on a rotating basis to every denomination for religious services



Camp sport facilities like [soccer fields](#), handball areas, fencing classes and other exercise facilities



Camp soccer field



The swimming pool



**The camp had a [Sauna](#)
Here is Auschwitz [map](#)**

Auschwitz had an artist studio

The camp commandant provided a studio and the equipment which produced thousands of paintings and sketches. The Auschwitz museum has 1470 painting, but none are displayed.

A rash of [absurd](#) paintings that were scratched after 1945 are pushed on a gullible public.



["Art in Auschwitz 1940-1945."](#)



Camp incentive system where through extra work inmates could obtain coupons redeemable for cake or ice cream in the Camp Cantina, which also had extra toiletries etc.

Camp complaints office where inmates could register complaints or make suggestions. Camp Commander Hoess had a standing order that any inmate could approach him personally to register a complaint about other inmates such as "Kapos" and even guards.

*** A system of strict discipline for guards and also for inmates, with severe punishment being handed out against those found guilty - for even slapping an inmate.**



Auschwitz marriages took place because worker inmates fell in love and married their inmate partners.

[Click for marriage certificate](#)



Auschwitz maternity ward - Over 3,000 live births were registered there, with not a single infant death while Auschwitz was in operation under German rule -



Child care center where working mothers could leave their children.



Women's sections of camps had female guards

Auschwitz jail - since the camp was a large, open facility, transgressors could be arrested, tried and jailed right in Auschwitz.





Jail



Auschwitz issues its own money

Prisoners were **paid** and could spend the money in canteens, brothels and stores.

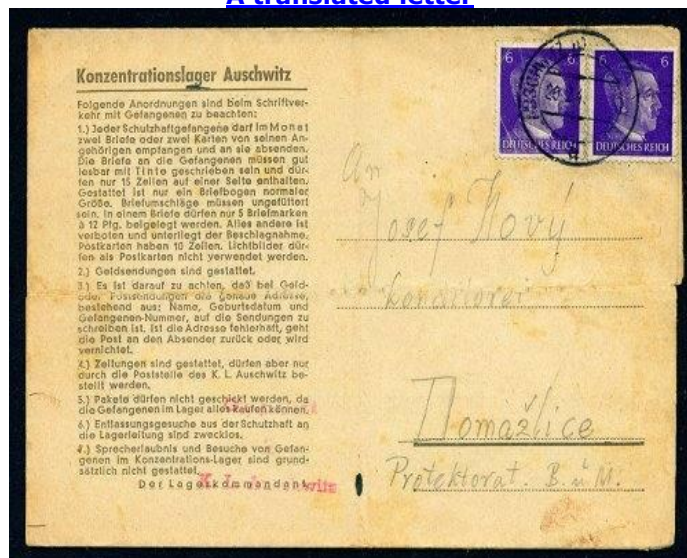


- * Auschwitz crematoria - These structures were hastily built by inmate labor after the first typhus epidemic caused thousands of deaths. Burial of epidemic victims had caused the ground water to be contaminated causing infections among the German staff. Amongst the victims was an early camp commandant's wife. Polish peasants from the surrounding district were also cremated here.
- * Auschwitz pregnancies took place because of the open nature of the facility.
- * Camp post office with twice weekly pick-ups and deliveries. If you are gassing people -- Do you let them write letters? **Another postcard**



* International Red Cross visited monthly
In a 1650 page report there was never a mention of gas chambers. **Auschwitz Death records**

A letter from Auschwitz 1943 A translated letter



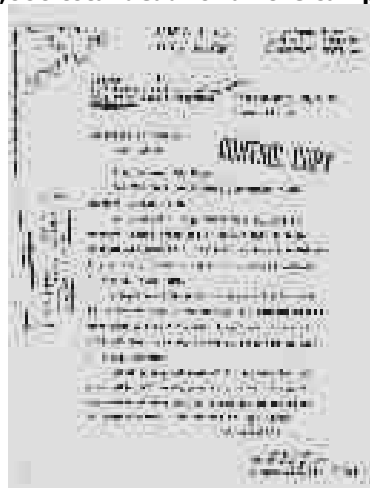
**A complete 1943 Auschwitz pre-printed letter form
Allies and Germans communicated about the camps**

Allies communicated with Germany and determined there were no murders. This is why they never bombed the RR leading to Auschwitz
Actual correspondence



Ernst Zündel 's Holocaust Trials

Zündel was a German Canadian who was put on trial in Canada for questioning the holocaust. He forced the Red Cross to produce their WW2 records, they showed approx. 280,000 total dead for all the camps.





Red Cross document # 1
Red Cross document # 2



Jews were shipped from the Ghettos and put to work



Look at the train -



Auschwitz was picked because it was a railway center
Here was the main point to Auschwitz

The Monowitz industrial complex, where most of Auschwitz's inmates were put to work in a variety of heavy industries, ranging from rubber manufacture, medical supplies, armaments and clothing.



The above photograph shows the tailor's workshop at Auschwitz 1, where prisoners would make up clothing for use by the German army.

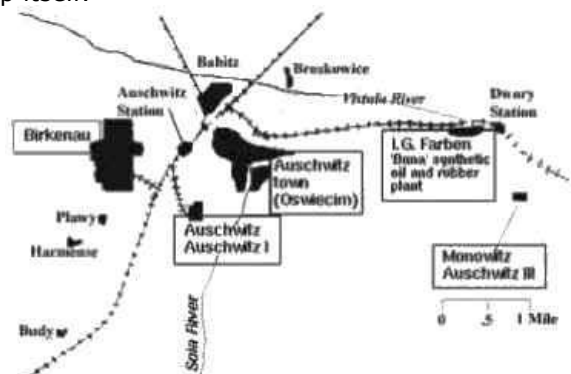
Auschwitz produced synthetic rubber, medical and armament supplies.



Auschwitz was the site of Germany's newest and most technologically advanced synthetic rubber plant; and Germany was the world's leader in this particular field of technology. Shortly after the war the Germans were cut off from their supply of natural rubber.

In the months that followed they set about building our own synthetic rubber plants. [Video](#).

Auschwitz was a major work camp that had forty different industries. The true reason for the existence of the Auschwitz camp is revealed in these little shown pictures of the industrial complex which surrounded the camp - most of it within full view of the interior of the camp itself.

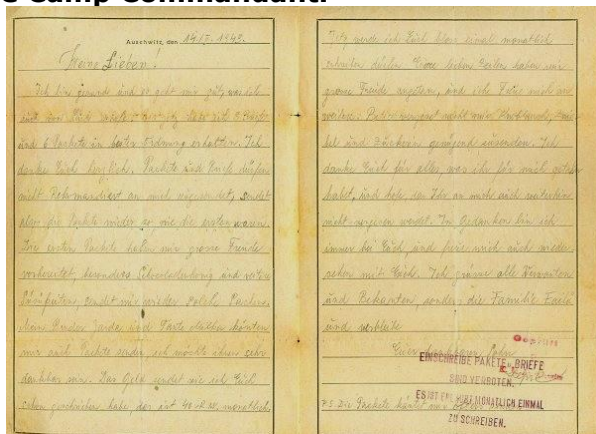


Translation of printed instructions: CONCENTRATION CAMP AUSCHWITZ

The following regulations are to be noted with respect to correspondence with prisoners:

1. Every prisoner is allowed to receive (and send) two letters or cards from (to) his relatives each month. The letters to prisoners must be easily readable, be written in ink, and consist of no more than 15 lines on a single sheet. Only letter sheets of the normal size are allowed. Envelopes must be unlined. Only 5 stamps of 12 Pf each may be enclosed with each letter. No other enclosures are permitted, and will be confiscated. Postcards consist of 10 lines. Photographs may not be used as postcards.
2. Money may be sent.
3. In sending money or postal orders, the exact address should be given, i.e., Name, Date of birth, and prisoner number. In the event that there any mistakes in the address, the mail will be returned to sender, or destroyed.
4. Newspapers are allowed, but may only ordered through the Auschwitz camp post office.
5. Parcels may not be sent, as the prisoners can buy everything on camp.
6. Requests to the camp authorities for release are pointless.
7. Visits to, and authority to talk to prisoners are not permissible on principle.

The Camp Commandant.



Translation of letter:

Addressed to;

Josef Novy

Bakery

Domazlice

Protectorate of Bohemia and Moravia

From:

My Address: Prisoner

Name: Josef Novy

Date of Birth: 27th April 1911

Prisoner Number: 73,034. Block 9a, Concentration

Camp Auschwitz, Post Office II

Auschwitz, 14th February 1943

My dear ones!

I'm in good health, and I'm alright - I hope the same applies to you. I've received 3 letters and 6 parcels from you recently - all in good shape. Letters and parcels may not be sent registered, just send the parcels as per the first ones. The first parcels made me very happy - particularly the chocolate honey and the

many sweets - please send more like that. My brother Jarde and aunt Milka could also send me packages - I would be very grateful. Send the money as I previously asked you, i.e., RM 40.- per month.

From now on I shall only be allowed to write once a month. Your lovely letters are a source of great happiness, and I look forward to receiving more. Please don't forget to send me garlic, onions, and enough sugar. I thank you for everything you have done for me, and I hope that you will not forget about me. I'm always with you in my thoughts, and am looking forward to seeing you again. Please give my regards to all friends and relations, especially the Faila family.

Your thankful son, Josef

PS. You can send parcels frequently.

Officially stamped:

Registered packages and letters are forbidden

Letters may be written once a month

Checked: (signed)



Parcel receipt from Auschwitz

Red Cross Report

The Report states that "As many as 9,000 parcels were packed daily. **From the autumn of 1943 until May 1945, about 1,112,000 parcels with a total weight of 4,500 tons were sent off to the concentration camps**" (Vol. III, p. 80).

In addition to food, these contained clothing and pharmaceutical supplies. "Parcels were sent to Dachau, Buchenwald, Sangerhausen, Sachsenhausen, Oranienburg, Flossenbürg, Landsberg-am-Lech, Flöha, Ravensbrück, Hamburg-Neuengamme, Mauthausen, Theresienstadt, Auschwitz, Bergen-Belsen, to camps near Vienna and in Central and Southern Germany. The principal recipients were Belgians, Dutch, French, Greeks, Italians, Norwegians, Poles and stateless Jews" (Vol. III, p. 83). [4]

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[Theresienstadt](#)

[Who really started WW 2](#)

[Bloodlines of WW 2 leaders](#)

[Irma Grese](#)

[Budapest Gold Train](#)

<http://servv89pn0aj.sn.sourcedns.com/~gbpprorg/judicial-inc/a letter from auschwitz 1943.htm>